



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Sixth Parliament
First Session**

Tuesday, 2 May 2017

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Tuesday, 2 May 2017

The PRESIDENT (The Hon. John George Ajaka) took the chair at 14:30.

The PRESIDENT read the prayers and acknowledged the Gadigal clan of the Eora nation and its elders and thanked them for their custodianship of this land.

Bills

STATE REVENUE LEGISLATION AMENDMENT BILL 2017

TRANSPORT ADMINISTRATION AMENDMENT (TRANSPORT ENTITIES) BILL 2017

GREYHOUND RACING BILL 2017

Assent

The PRESIDENT: I report receipt of messages from the Governor notifying His Excellency's assent to the abovementioned bills.

GREYHOUND RACING BILL 2017

Protest

The PRESIDENT: I report receipt of the following communication from the Official Secretary to His Excellency the Governor of New South Wales to the Clerk of the Parliaments:

GOVERNMENT HOUSE
SYDNEY

Thursday, April 6, 2017

The Clerk of the Parliaments

Dear Mr Blunt,

I write, at His Excellency's command, to acknowledge receipt of the Protest made on 6 April 2017, under Standing Order 161 of the Legislative Council, against the *Greyhound Racing Bill 2017*, by the following honourable members of The Greens, namely:

- Dr Mehreen Faruqi MLC,
- Mr Jeremy Buckingham MLC,
- Mr Justin Field MLC,
- Ms Dawn Walker MLC.

I advise that His Excellency the Governor notes the protest by the honourable members.

Your sincerely,

Michael Miller RFD
Official Secretary to the Governor of New South Wales

Members

LEGISLATIVE COUNCIL VACANCY

The PRESIDENT: I report receipt of the following communication from His Excellency the Governor, advising of the resignation of the Hon. Michael Gallacher, MLC:

GOVERNMENT HOUSE
SYDNEY

Thursday, 6 April 2017

The Honourable John Ajaka MLC
President of the Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000
Dear President,

I have the honour to inform you that I have received a letter dated 6 April 2017 from The Honourable Michael Gallacher MLC tendering his resignation as a Member of the Legislative Council of New South Wales, effective immediately.

The Official Secretary to the Governor has acknowledged receipt of the letter from Mr Gallacher, on my behalf, and has informed him that you have been advised of his resignation.

Yours sincerely

General The Honourable David Hurley AC DSC (ret'd)
Governor of New South Wales

The Governor's communication has been acknowledged and entry regarding the resignation of Mr Gallacher from the Fifty-sixth Parliament has been made in the Register of Members of the Legislative Council.

Commemorations

CENTENARY OF FIRST WORLD WAR

The PRESIDENT (14:32): Despite the previous month's costly failure British and Australian troops made a second attempt to break through the Hindenburg Line near the village of Bullecourt, commencing with a pre-dawn strike on 3 May 1917. The second offensive was better planned and, properly supported by artillery, the AIF's 2nd Division successfully seized a small section of the German trenches. Bravely enduring days of brutal counterattacks, which at times included the use of flamethrowers, the Australians managed to strengthen their position, and dig a communication and supply trench back to their own lines. After a fortnight of combat, sometimes intense and at other times sporadic, the Germans abandoned efforts to recapture their lost territory. The Second Battle of Bullecourt gave the Allies a symbolic victory—they had broken through, captured and held a section of the Hindenburg Line.

But it was only a very small section and the toll had been appalling. More than 7,000 Australian soldiers were killed or wounded. The losses forced plans for a new 6th AIF Division to be abandoned. Instead the government embarked on a second attempt to introduce conscription. At the Front, resentment of British command among Australian ranks sharpened as a result of events at Bullecourt, as did disillusionment with the war generally. Shortly before he was killed at Bullecourt on 12 May, Lieutenant Wilfred Barlow, a schoolteacher from Victoria and father of four, wrote to his wife:

I hope the war will soon be over because it is destroying the best men and everything that is beautiful and civilized in life.

Lest we forget.

Documents

OMBUDSMAN

Reports

The CLERK: According to the Ombudsman Act 1974, I announce receipt of a special report of the Acting Ombudsman, entitled "Asbestos: How NSW government agencies deal with the problem", dated April 2017, received out of session and authorised to be made public on 19 April 2017.

The Hon. DON HARWIN: I move:

That the report be printed.

Motion agreed to.

Rulings

CAVILLING

The PRESIDENT (14:35:2): It is incumbent on the Chair to treat all members with a degree of courtesy and respect. Likewise, it is just as incumbent that all members treat the Chair with similar courtesy and respect. There has developed with some members an unfortunate habit of cavilling with rulings from the Chair by the making of not so sotto voce (in a very quiet voice) remarks. These comments offend a number of standing orders and past rulings. These include: interjecting whilst a ruling is being given; acting disorderly whilst a ruling is being given; and cavilling with a decision of a Presiding Officer.

I advise that if members continue to make such comments or remarks in the future they risk being called to order or being ejected from the House for disorderly conduct. I remind members that in observing courtesy to the Chair, this includes being prepared to acknowledge comments made. To deliberately misstate the nature of a remark made, as occurred on the previous sitting day on 6 April 2017, as evidenced in *Hansard*, not only diminishes trust between the member and the Presiding Officer, but also reflects upon the House and repute of all members in the eyes of the public.

*Motions***RURAL WOMEN'S AWARD**

The Hon. BRONNIE TAYLOR (14:38): I move:

- (1) That this House notes that:
 - (a) the 2017 NSW-ACT Rural Industries Research and Development Corporation [RIRDC] Rural Women's Award was announced on Tuesday 4 April 2017;
 - (b) Mrs Sandra Ireson was the 2017 winner for her work in helping to retain young people in agriculture;
 - (c) Mrs Ireson started the Hay Inc. Rural Education Program, an educational pathway that provides hands-on training, mentoring and networking for young men and women in primary industries; and
 - (d) Mrs Ireson is an inspiring example of the powerhouse women in southern New South Wales communities, hailing from Nimmitabel on the Monaro, and now helping boost her local community of Hay.
- (2) That this House congratulates finalists Rebecca Barnes, Emma Doyle, and Hayley Purbrick, on all of their hard work and achievements.
- (3) That this House congratulates Mrs Ireson and wishes her the best of luck representing NSW-ACT at the National RIRDC Rural Women's Award later this year at Parliament House, Canberra.

Motion agreed to.

*Documents***TABLING OF PAPERS**

The Hon. SCOTT FARLOW: According to Standing Order 59, I table a list of papers tabled and not ordered to be printed in the previous month.

*Committees***LEGISLATION REVIEW COMMITTEE****Report: Legislation Review Digest No. 35/56**

The Hon. GREG PEARCE: I table the report of the Legislation Review Committee entitled "Legislation Review Digest No. 35/56", dated 2 May 2017. I move:

That the report be printed.

Motion agreed to.

*Documents***TABLING OF PAPERS**

The CLERK: I announce receipt of the following reports presented since the last sitting of the House:

- (1) Education and Care Services National Regulations—Report of Education and Care Services Ombudsman, National Education and Care Services Privacy and Freedom of Information Commissioners for year ended 30 June 2016.
- (2) Surveillance Devices Act 2007—Report of the Ombudsman, entitled "Report under Section 49 (1) of the Surveillance Devices Act 2007 for the period ended 31 December 2016", dated March 2017.
- (3) Passenger Transport Act 1990 and Transport Administration Act 1988—Report of the Office of Transport Safety Investigations, entitled "Rail Safety Investigation Report: Main Line Rail Defect Boronia No. 3 Tunnel: 10 October 2014".

AUDITOR-GENERAL**Reports**

The CLERK: According to the Public Finance and Audit Act 1983, I announce receipt of the following reports of the Auditor-General:

- (1) Performance Audit Report, entitled "Passenger rail punctuality: Transport for NSW, Sydney Trains, NSW Trains", dated April 2017, received out of session and authorised to be printed on 11 April 2017.
- (2) Performance Audit Report, entitled "Contingent workforce: procurement and management: Department of Education, Transport for NSW, Department of Industry", dated April 2017, received out of session and authorised to be printed on 27 April 2017.

*Committees***GENERAL PURPOSE STANDING COMMITTEE NO. 6****Government Response: Crown land in New South Wales**

The CLERK: According to standing order, I announce receipt of the Government response to report No. 4 of General Purpose Standing Committee No. 6, entitled "Crown land in New South Wales", tabled 13 October 2016, received out of session and authorised to be printed on 13 April 2017.

STANDING COMMITTEE ON STATE DEVELOPMENT**Government Response: Economic development in Aboriginal communities**

The CLERK: According to standing order, I announce receipt of the Government response to report No. 40 of the Standing Committee on State Development, entitled "Economic development in Aboriginal communities", tabled 30 September 2016, received out of session and authorised to be printed on 1 May 2017.

*Petitions***RESPONSES TO PETITIONS**

The CLERK: I announce receipt, pursuant to sessional order, of the following responses to petitions signed by more than 500 persons:

- (1) Response from the Hon. Brad Hazzard, MP, Minister for Health, and Minister for Medical Research, to a petition presented by the Hon. Paul Green on 7 March 2017 concerning relocation of Fairfield ambulance station, received out of session and authorised to be printed on 11 April 2017.
- (2) Response from the Hon. Gabrielle Upton, MP, Minister for the Environment, Minister for Local Government, and Minister for Heritage, to a petition presented by the Hon. Paul Green on 23 February 2017 concerning compulsory acquisition of Hurstville Baptist Church, received out of session and authorised to be printed this day.

*Notices***PRESENTATION**

[During the giving of notices of motions]

The PRESIDENT: I remind members that members giving notices of motions should be heard in silence.

*Business of the House***POSTPONEMENT OF BUSINESS**

Mr JEREMY BUCKINGHAM: I move:

That Business of the House Notices of Motions Nos 1 and 2 be postponed until the next sitting day.

Motion agreed to.

Mr DAVID SHOEBRIDGE: I move:

That Business of the House Notice of Motion No. 3 be postponed until Wednesday 10 May 2017.

Motion agreed to.

*Bills***TATTOO PARLOURS AMENDMENT BILL 2017****Second Reading**

The Hon. BRONNIE TAYLOR (14:58): On behalf of the Hon. Niall Blair: I move:

That this bill be now read a second time.

The Tattoo Parlours Amendment Bill 2017 includes a range of amendments to the Tattoo Parlours Act 2012 that will improve the efficiency and effectiveness of the tattoo parlour regulatory scheme in New South Wales. The current regulatory framework for tattoo parlours was introduced to curb infiltration of the industry by organised criminal groups. These arrangements require applications for a licence to be made to NSW Fair Trading and a probity check in the form of a security determination to be made by the NSW Police Force. This was intended to clean up the industry and to stop tattoo parlours being used as a front for criminal enterprise. I understand that, since the scheme commenced, it has helped reduce bkie involvement in the tattoo industry. However, there is still

more work to be done. These amendments will ensure that the Tattoo Parlours Act 2012 remains fit for purpose in limiting infiltration of the body art tattooing industry by organised crime.

I now turn to the details of the bill. A key amendment proposed in this bill is the creation of the ability to renew a licence issued under the Act. Proposed section 13A sets out an application process for licence renewal. This will ensure that operator licences and tattooist licences issued under the Tattoo Parlours Act 2012 can be renewed without the need to make a brand-new licence application, as is currently the case. The renewal process will cut the red tape that is associated with the requirement to make a brand-new licence application without compromising the integrity of the scheme. While many of the steps for licence renewal are similar to those required when making the original licence application, the renewal process will be more streamlined.

The new section 14 (2) proposed by this bill sets out that licence renewal applications need only be referred to the police for security determinations if the application includes any changes relating to the close associates of the licensee or the licensed premises at, on or in which the licensee carries on a body art tattooing business. This will ensure that police resources are not required to make new security determinations every time a renewal application is made unless a change has occurred in respect of close associates of the licensee or the premises of the body art tattooing business. The new section 17 continues the existing arrangements in relation to the licence term, which provide that a licence remains in force for a period of three years from the date on which it comes into force unless it is sooner cancelled or surrendered or otherwise ceases to be in force.

The renewal process in section 13A sets out that when an application for a licence renewal is made the licence will continue to be in force until the application is determined. This will mean that if the licence renewal is made before the expiration date of the licence the licence holder can continue to operate until the renewal application is determined. Transitional arrangements are included in schedule 1, part 4 of the Act and set out that any pending applications before the commencement of the bill for a new licence can be treated as a licence renewal. This will ensure that those licence holders who already have made a new licence application are not required to withdraw their application and can have it dealt with as if it were a licence renewal made under the new laws. The creation of a licence renewal process makes sense for tattoo parlours regulation. It will cut red tape for licence applicants and government agencies who regulate this industry. This will reduce the burden on tattoo parlours who are approaching the end of their three-year licence term by removing the need to make a fresh application.

Another key amendment made by this bill is to clarify that in determining whether an individual should be granted an operator or tattooist licence or be permitted to continue to hold one, the Commissioner of Police may make an adverse security determination on the ground that a close associate of the applicant or licensee is not a fit and proper person. This is achieved by amendments to the definition of "adverse security determination" in section 3 to clarify that such a determination includes a determination that a close associate of the applicant or licensee is not a fit and proper person. The inclusion of section 19 (1) (a1) and section 19 (2) (a1) clarifies that the Commissioner of Police is to investigate the close associates of applicants or licence holders to determine whether they are fit and proper persons. Amendments to section 19A ensure that the commissioner may require further information from a licensee or close associate in respect of such an investigation.

Clarifying that adverse security determinations can be made in respect of close associates ensures that police can make these determinations to prevent tattoo licences being issued to applicants in situations where bikie gangs have effective control over a tattoo parlour. This solidifies a critical measure within the Act which is serving to stamp out the influence of bikies and other organised criminal networks in the tattoo industry. It ensures that police can gather all the information available to them to make these important decisions about close associates that exert control over tattoo parlour operators and licensees.

The bill also includes provisions to ensure that any criminal intelligence reports or other criminal reports used by police in determining licence applications or administering licences are protected against disclosure. Section 20 is amended to ensure that any criminal intelligence reports or other criminal reports used by police are protected. Similarly, section 27 is amended to ensure that criminal intelligence relied on by police when making a security determination remains protected in matters considered by the NSW Civil and Administrative Tribunal [NCAT]. These amendments will mean that when police rely on particular criminal intelligence when making licensing decisions or defending matters before the NCAT, the risk of criminal intelligence holdings being made public is greatly reduced.

Amendments to section 22 of the bill make it a condition of tattooist licences issued under the Act that the holder must give written notice to the regulator of a change in particulars within 14 days of the change. This is already a condition of an operator licence and this bill will extend the requirement to tattooist licence holders. This will mean that the regulator has up-to-date details of all licence holders in New South Wales. In relation to operator licence holders, they will continue to be required to provide written notification of any changes in relation to close associates. The inclusion of section 22 (1A) sets out that declaration of a change in the particulars of a

close associate must be accompanied by copies of three forms of personal identification for each individual identified in that notice as a close associate. This will ensure that police are provided with information to start performing any necessary checks when the notification is received instead of having to make additional requests for information and wait for the information to be returned.

The bill also amends section 26 to clarify the grounds on which the regulator can cancel a licence. This includes amendments to section 26 (1) (a) specifying that the secretary must cancel a licence in cases where additional information required by the Commissioner of Police under section 19A has not been provided within the time specified. This will help in ensuring that police are provided with the information required to investigate whether a person is a fit and proper person. This goes to the heart of the scheme and provides for cancellation of licences where the person refuses to answer questions from the police. Under proposed section 26 (2) (a1) the secretary may cancel a licence where it is not collected within a 60-day period. Currently the Act specifies that the secretary must cancel the licence in such situations. The bill is therefore adding discretion for the secretary to choose not to cancel a licence in these circumstances.

The bill also amends section 30C to clarify that when authorised officers lawfully enter a premises under the Act for a purpose referred to in section 30A they may make such examinations and inquiries as the authorised officer considers necessary. There are already a range of powers in section 30C that police can exercise when they lawfully enter a premises under the Act and this power ensures police continue to have the power to make the required inquiries necessary to regulate the scheme effectively. The bill also amends the wording in sections 35 and 39 to clarify and streamline the requirements concerning penalty notices and the serving of documents.

Another measure being introduced by this bill is the insertion of section 33A, which provides for the statutory abrogation of the privilege against self-incrimination in regard to the tattoo parlour regulatory scheme. This will mean that persons required to provide information by enforcement officers must provide that information regardless of whether their answer would incriminate them. However, section 33A (3) provides protections that limit the use of any answer provided in criminal proceedings against the person if the person objects to providing an answer on the ground that it might incriminate them. This provision addresses the current situation where a person could refuse to answer questions or produce documents requested by enforcement officers if so doing was likely to incriminate them. This is an easy option for anyone who wants to hide criminal activity from those who are tasked with upholding the regulatory scheme.

The provision included in this bill is similar to provisions that already exist in a raft of other legislation providing for industry regulation and it is appropriate that the legislation that regulates an industry which historically has been infiltrated by organised crime is similarly strengthened. This will close a loophole and ensure that this industry can be regulated as effectively as possible, as always intended. The bill also makes a range of mechanical amendments to ensure that the Tattoo Parlours Act 2012 remains fit for purpose to stamp out criminal infiltration in the tattoo parlour industry in New South Wales. I am pleased that the new measures included in this bill, including licence renewal, will reduce red tape for small business engaged in the industry and that other measures in the bill will ensure that the regulator and police are provided with the powers necessary to regulate effectively. I commend the bill to the House.

The Hon. LYNDIA VOLTZ (15:08): The Opposition has no objection to the Tattoo Parlours Amendment Bill 2017, and to assist the House I refer members to the shadow Minister's speech in the other House.

Mr DAVID SHOEBRIDGE (15:09): On behalf of The Greens I speak to the Tattoo Parlours Amendment Bill 2017. I note at the outset that The Greens do not support the bill but we note that one small element of it, the renewal aspect, is desperately needed by the industry so we will not be opposing it. The bill is the seventh occasion that the hopelessly flawed 2012 Act has had to be amended by this House. At the time that the 2012 bill was rushed through in order to meet the publishing deadlines of the *Daily Telegraph* we said that it was a hopelessly flawed piece of legislation; it was trying to smash a walnut not just with a sledgehammer but with a sledgehammer and an AK47. We said it would come back to bite the Government because of the rushed manner in which it was ramming through that piece of legislation, which had not been thought through.

At the time we pointed out that a number of people in the industry had said that the amount of red tape and the extraordinary degree of overregulation that would be imposed upon them at the hands of the NSW Police Force would make large parts of it unworkable. That this is now the seventh occasion on which the Government has had to amend that hopelessly flawed piece of 2012 legislation is proof positive of our concerns at the time. There is one aspect of the bill that we do support and it is picked up in the first major part of the bill enabling licences under the Tattoo Parlours Act to be renewed rather than requiring an application to be made for a new licence when a licence expires.

In fact, when the legislation was before the Chamber in 2012 we said, "Why is there no renewal provision in it? You are not seriously going to make people do an entirely fresh licence application, with all of their

fingerprints, details and other material? Surely that is not what the Government intends?" The Government said, "Yes, that is what we want. We want to make sure that it is very tough." People's fingerprints do not change, and that has been finally realised. If people gave their fingerprints in 2013 they will not have changed in 2017; the Government does not need a fresh set of prints and all of the palaver for a renewal that is required for the original licence application.

Five years later, no doubt after countless police hours have been wasted on what is a hopelessly over-bureaucratic process, the Government finally realised that it should put in place a renewal process, and that is the one aspect of the bill that we support. The Government also said that it is providing a privilege against self-incrimination but in doing so has actually provided an abrogation of the privilege against self-incrimination by requiring that information be provided to the police in relation to a licence application. The Government says, and as I understand it the NSW Police Force does also, that they need to be able to compel anyone who is making an application for a licence to answer all their questions and if they do not answer all the questions, to provide that as a reason for rejecting their licence application. That is regardless of whether or not the answer might incriminate the person.

It might be something totally unrelated to their work in the tattoo industry. It might be something of a marginal nature but if the police ask the question, regardless of whether or not it might self-incriminate the licence applicant, this legislation says they must answer and if they do not they will lose their licence. The Government seeks to give some kind of protection. Of course the protection given to people in the tattoo industry is a much lesser protection than the Government gave to politicians in the recently passed amendments to the Independent Commission Against Corruption [ICAC] Bill. When the ICAC and the police integrity bills went through the Parliament—the changes were made to the police oversight system and the ICAC—much stronger protections were given against self-incrimination. The most recent one that members may recall was in relation to the Law Enforcement Conduct Committee.

The Police Association quite rightly had concerns that if their members were compelled to answer questions in the course of inquiries and to go against the right to not self-incriminate, they did not want that information being used against their members when they had taken objection, either directly or indirectly. The Government said, "Yes, of course that is right. As a matter of principle, we couldn't possibly remove someone's common law protection against self-incrimination without preventing that information from being used either directly or indirectly against that person in order to bring criminal proceedings." But what do we get in this bill? It seems that with self-incrimination a different standard is applied to police officers and politicians than to people in the tattoo industry. New section 33A of the bill provides this limitation on the information provided over objection that is self-incriminating. It states:

(3) However, any information furnished—

This is information furnished to answer a compulsory question despite the person objecting that it was self-incriminating—

or answer given by a natural person in compliance with a requirement under section 19A or 30C is not admissible in evidence against the person in criminal proceedings ... if:

- (a) if the person objected at the time ... or
- (b) the person was not warned ...

But it does not prohibit derivative use of that information. The police may not use the direct answer given but they would use that answer to make a whole lot of other inquiries in order to bring criminal proceedings against that person. That is a limited—in fact, it is very second-rate—protection against self-incrimination and is one of the principal reasons that The Greens have significant concerns with this bill. Unlike the Government we have spoken to the industry. Just as we spoke to the industry in 2012, we spoke to the industry again in 2017.

Indeed, some members of the industry—the Tattoo Artists Guild, in particular—approached us on a number of occasions about how hopelessly bureaucratic the scheme is and about the enormous delay in getting security clearance from the NSW Police Force. I am interested in whether the Parliamentary Secretary has information to the contrary but we have heard that the delay can be in the order of six to 12 months from the time that the licence application is filed to the time that the determination is given, and that the delay is primarily inside the NSW Police Force.

There are two problems with that. The first problem is that people have to wait a ridiculously excessive length of time to have their licence application determined, particularly if they are waiting on a bank loan in order to expand their business or to get new premises. If they say, "I'm sorry, you have to wait 12 months until we have the licence application determined", that can seriously cruel the financial prospects of their business. It has a real impact on people's businesses. The second problem is the sheer amount of police time that is being spent on what

is a marginal part of the fight against organised crime. I accept that some tattoo parlours seem to have been infiltrated by organised motorcycle gangs and a minority appear to have criminal elements attached to them but in the overall fight against organised crime, this is the shallows, this is at the margin; yet thousands and thousands of hours of police time are being devoted to processing what are mostly vanilla applications that do not raise security concerns.

Most of those police are not uniform police but are highly skilled criminal investigators whose job it is to work out how and why organised crime operates. The Greens would much rather those highly skilled members of the NSW Police Force were out looking for real organised crime, trying to find out where the money laundering and gun running are happening, doing real jobs instead of spending thousands and thousands of hours processing applications in relation to tattoo parlours. It makes no sense whatsoever. We note that the Government says that this legislation has been successful yet we cannot see any metrics anywhere provided by the NSW Police Force or the Government that proves it is successful. I ask them to tell us about the organised crime rings and major drug importation rings that have been shut down; to show us the guns or the laundered money that have been seized—to show us any effective result out of this legislation. I do not doubt there are probably a number of tattoo parlours that have been shut down by the NSW Police Force that have links with outlaw motorcycle gangs.

The Greens are glad to see these outlier tattoo parlours being shut down, but did we really need this level of extraordinary resource commitment, this iteration after iteration of legislation, in order for the police to do what should be basic police work—finding organised crime, finding out where it is operating and shutting it down without having to devote countless hours of police time to what is really marginal policing work? It is clear there were and will likely continue to be rogue criminal operators in the tattoo industry as in the security industry and other industries in New South Wales, but we need to make sure the measures that Parliament passes are proportionate to the criminality and proportionate to the issues. This legislation has not been proportionate and the amount of police time invested has not been proportionate. That has a real impact. When our most highly skilled police investigators are stamping and processing completely vanilla applications about tattoo parlours they are not out there catching the real criminals. That does not make New South Wales safer as the Government pretends; it makes this State and its citizens much less safe.

Often when this type of legislation passes through the New South Wales Legislative Assembly and Legislative Council many people highlight the problems with the tattoo industry, but the overwhelming majority of people in the industry are doing great things that the people of New South Wales highly prize. Most of these people run small businesses. Many of them run collectives where a group of artists run a parlour together. They are doing really good stuff. The member for Newtown, Ms Jenny Leong, asked me to point out some of those operators in her electorate: There is Authentink Tattoo on Buckingham Street in Surry Hills, Tattoo Rosie's on Riley Street in Surry Hills, Stone Heart Body Art on William Street in Darlinghurst, Inner Vision Tattoo on Abercrombie Street in Redfern, LDF Tattoo Newtown on King Street and LDF Tattoo Marrickville on Illawarra Road.

These tattoo parlours are not crime hot spots. They are places where skilled artists work together with their clients to produce what can only be described as art. The Greens are grateful that these small businesses are out there operating, employing people and providing a service that the people of New South Wales greatly appreciate. This is the seventh amendment of the Tattoo Parlours Act 2012, but the Act is also up for statutory review to commence this month. I hope that those questions about efficacy and whether or not the resources have been appropriately allocated will be considered by the statutory review. I can tell members now that The Greens NSW will be watching that review closely.

The Hon. PAUL GREEN (15:22): I speak on the Tattoo Parlours Amendment Bill 2017 on behalf of the Christian Democrats. The object of this bill is to firstly enable the licences under the principal Act to be renewed rather than requiring an application to be made for a new licence when the licence expires. Secondly, it provides that the privilege against self-incrimination does not excuse a person who is required to furnish records or information to police and other authorised officers or to answer questions under the principal Act from furnishing that information or those records or from answering those questions. Thirdly, it makes a number of other amendments of a minor, administrative or consequential nature.

The Tattoo Parlours Act of 2012 introduced a framework for tattoo parlours to curb infiltration of the industry by organised crime groups. I note Mr Shoebridge said that this bill has been amended seven times. When I was mayor of the City of Shoalhaven there was real concern about the infiltration of crime groups into tattoo parlours and it was common sense for the Government to introduce this legislation. While the Act was not perfect, at least it was able to start to put a system and a framework in place whereby accountability and public safety were foremost in this State. It was a wise thing to do even though we have had to come back seven times for adjustments and may need to come back to do more. I note that there is a statutory review coming up anyway which will go one step further in reviewing the entire Act.

This bill will allow tattooists and operators to renew their licences without the need to make a new licence application. The renewal process will cut the red tape associated with the requirement to make a brand new licence application without compromising the integrity of the scheme. Licence renewal applications will continue to be in force until the renewal application is finalised and renewal applications are to be referred to police for security determinations only if the application includes any changes relating to the close associates of the licensee or the licensed premises where the licensee carries on a body art tattooing business. Police resources are not required to make new security determinations every time a renewal application is made, which means that police resources can be used in other areas where greater needs exist.

The bill also amends the conditions on which the Police Commissioner may make an "adverse security determination". A determination may be made on the grounds that a close associate of the licence applicant or licensee is not a fit and proper person. This amendment ensures that the police can make determinations to prevent tattoo licences from being issued to applicants where a bikie gang may effectively have control over a tattoo parlour. In the case where an adverse security determination is made, the bill amends the original Act to ensure that any criminal intelligence reports or other criminal reports used by police are protected. Decisions made under these conditions can be reviewed and defended before the NSW Civil and Administrative Tribunal [NCAT]. This ensures that the risk of criminal intelligence holdings being made public is greatly reduced.

Proposed section 33A requires persons being questioned by enforcement officers to provide information as asked, regardless of whether or not the answer may incriminate the individual. Previously, the lack of necessary information has enabled alleged perpetrators to hide criminal activity. It is important to note that under section 33A (3) protections are introduced that limit the use of any answers provided in criminal proceedings against the person if that person objects to providing the answer on the grounds that it may incriminate them. This amendment is designed to close a loophole so the industry can continue to be regulated effectively.

Under the new section 22, licensees must give written notice to the regulator of changes to particulars within 14 days, ensuring information of licensees is always accurate. Proposed section 26 gives the secretary a new discretion where any licence that has not been collected within 60 days is no longer automatically cancelled. Rather, the secretary can choose whether cancellation of the licence is appropriate. Under proposed section 30C, when authorised officers lawfully enter a premises under the Act for the purposes outlined in section 30A, the authorised officer may make examinations and inquiries as they consider necessary.

The initial motive of this legislation was to clean up this particular industry across New South Wales and ensure that these parlours are not part of criminal activity. Secondly, and more importantly, this legislation ensures that sterilisation of instruments and other processes that could compromise people's safety and health are taken care of in the right way, ensuring that the product people are buying is not only authenticated but has been verified as safe for the customer. I commend the bill to the House.

The Hon. BRONNIE TAYLOR (15:29): On behalf of the Hon. Niall Blair: In reply: I thank all members for their contributions to debate on the Tattoo Parlours Amendment Bill 2017. This bill builds on the regulation of tattoo parlours in New South Wales and will ensure that the Tattoo Parlours Act remains fit for purpose—that is, to stamp out criminal infiltration in the tattoo parlours industry in New South Wales. I commend the bill to the House.

The ASSISTANT PRESIDENT (Reverend the Hon. Fred Nile): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

The Hon. BRONNIE TAYLOR: On behalf of the Hon. Niall Blair: I move:

That this bill be now read a third time.

Motion agreed to.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS

The Hon. DON HARWIN: I move:

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of business this day.

Motion agreed to.

ORDER OF BUSINESS

The Hon. DON HARWIN: I move:

That debate on committee reports take precedence over Government business until questions this day.

Motion agreed to.

*Committees***GENERAL PURPOSE STANDING COMMITTEE NO. 4****Report: Budget Estimates 2016-2017**

Debate resumed from 21 February 2017.

The Hon. ROBERT BORSAK (15:31): I am pleased to make a brief contribution to the take-note debate on report No. 33 of General Purpose Standing Committee No. 4 entitled "Budget Estimates 2016-2017". I sincerely thank all committee members—deputy chair Mr David Shoebridge, the Hon. David Clarke, the Hon. Trevor Khan, the Hon. Shayne Mallard, the Hon. Shaoquett Moselmane and the Hon. Lynda Voltz—for their cooperation during budget estimates hearings. Though we have our political differences it is an excellent committee with a lot of collegial cooperation between parties. I thank the committee secretariat for its assistance during the inquiry process. We are fortunate to have an efficient and informed secretariat, which makes it much easier to deal with these processes. I thank Hansard for ensuring that the hearings were accurately recorded.

The inquiry consisted of four hearings to examine the following portfolios: Trade, Tourism and Major Events, and Sport; Planning; Justice and Police, Arts, Racing; and Attorney General. A supplementary hearing was also held for the Racing and Attorney General portfolios. I thank the respective Ministers and their departmental staff for attending the hearings and for being frank when answering our questions. Sometimes the hearings of General Purpose Standing Committee No. 4 can get a bit feisty, but all the Ministers handled themselves well and did their best to provide information to the committee. Once again I thank all those involved for their assistance during the General Purpose Standing Committee No. 4 inquiry into the 2016-17 budget estimates. I commend the report to the House.

The Hon. LYNDA VOLTZ (15:33): As the shadow Minister for sport and recreation, I was a member of General Purpose Standing Committee No. 4, which covered a number of strategic areas, including jobs growth in New South Wales and regional tourism. The committee inquired into the Government's stadia strategy which, members will be aware, has been an issue fraught with difficulty. The Government originally announced a plan to build a sports stadium on Centennial Park and Moore Park Trust lands, historical and recreational sites that are important to our military history. Anzac Parade was the route used by soldiers on their march to board ships that were sailing to Gallipoli.

The obelisk which marks the road on which soldiers marched is not a memorial. The Moore Park lands were used as camp sites and for mortar fire exercises. The swampland surrounding Kippax Lake has remained open space due to the amount of unrecovered artillery still remaining in the lake. The community had objections to a stadium being built on that site. The Minister for Sport suggested placing it on the existing site of the Sydney Football Stadium. The sporting codes that presently operate there, such as Sydney FC, the Roosters Rugby League team and NSW Rugby Union, stated that if they were without a stadium for three years they would take their business elsewhere. The Government then adopted the Opposition's position—that is, to spend the money on Sydney Olympic Park, a 77,000 seat stadium which will define the Sydney market as against the markets in Melbourne and Brisbane. It will make Sydney the preferred alternative for events such as international test matches, State of Origin and doubleheaders such as Sydney FC-Wanderers that attract large crowds.

Another proposed redevelopment was Parramatta stadium. When committee members asked the Government questions about the Parramatta pool, it said that it would not build over the pool. The stadia proposal revealed that the stadium was to be built over the pool. The people of Parramatta are supportive of a new stadium but they do not want it to be built over the pool. These historic parklands belong to the Parramatta Park Trust. The Mays Hill precinct, which is Parramatta parkland, has been identified as the site for the new swimming pool which will cost \$60 million. When questioned, the Minister refused to accept responsibility for outlaying that cost. He stated during budget estimates that it was the council's responsibility, which is nonsense. If the Government wants to take away lands from the people and demolish a pool, it is therefore responsible for rebuilding. The Government has allocated \$30 million for a pool that will cost \$60 million, which presents another problem.

In its first term in office the Government came up with a Towards 2020 plan which identified that it would increase childhood participation in sport by approximately 10 per cent, taking it from 61 per cent to 69 per cent. Since the Government made that announcement participation in sport across New South Wales has dropped significantly. The Australian Sports Commission AusPlay report shows that swimming is the

predominant sport, with 30 per cent of Australian adults and children swimming. This Government is not investing in swimming pools; it is demolishing them. In order to achieve the targets in its Towards 2020 plan the Government increased sporting infrastructure expenditure. Its \$1.6 billion infrastructure expenditure on stadiums is good for the economy and growth because it will assist the entertainment and events market. But it will not increase participation in sport. There has been no significant investment to increase participation in sport across this State.

Sporting clubs are increasingly finding that costs are being shifted to them, such as leasing fees when they are hiring fields. The field on which I coach under 13 girls—which comprise one oval and one mini-oval and located at Earlwood Wanderers Football Club—is shared with seven other teams. The girls train on a quarter of a field and the club pays council \$30,000 a year for that privilege. There are no change rooms for the girls. I will not let the girls walk to the toilets at night and there has been no major investment in those facilities. We could increase participation in sport by establishing where infrastructure is needed and by directing grants to achieve that outcome. Instead of doing that, the Government is just washing its hands.

A number of special or participation grants are available but they are not always allocated to those organisations that have high participation levels and growth. A good example of that is soccer. I cannot think of any sport that has had higher participation rates than soccer over the past 40 years. Sports such as swimming, soccer, netball and basketball, which have high participation rates, are not receiving the budgetary allocations that the events market is receiving. This Government has failed significantly. It has as its target to increase participation in sport but it needs more than just nice words and pretty speeches; it needs a targeted strategy and it must establish where there is pressure on sporting organisations and where facilities are needed in Sydney and in regional areas. Everyone should have a chance at participating in sports. In the long term an increase in participation rates will save billions of dollars in the Health portfolio. The Government's stadium strategy, which was six pages long, is now in tatters and contains no information about sports participation rates. I hope that we receive better answers at this year's budget estimates than we received last year.

The Hon. ROBERT BORSACK (15:43): In reply: I commend the report to the House.

The ASSISTANT PRESIDENT (Reverend the Hon. Fred Nile): The question is that the House take note of the report.

Motion agreed to.

SELECT COMMITTEE ON THE LEGISLATIVE COUNCIL COMMITTEE SYSTEM

Report: The Legislative Council Committee System

Debate resumed from 4 April 2017.

The Hon. ROBERT BROWN (15:44): I said all that I wished to say earlier in debate. I commend the report to the House.

The Hon. SCOTT FARLOW (15:45): On behalf of the Hon. Don Harwin: In reply: I thank all those members who contributed to the debate: the Hon. Mick Veitch, the Hon. Dr Peter Phelps, the Hon. John Graham, the Hon. Greg Donnelly and the Hon. Robert Brown. I commend the report to the House.

The ASSISTANT PRESIDENT (Reverend the Hon. Fred Nile): The question is that the House take note of the report.

Motion agreed to.

STANDING COMMITTEE ON STATE DEVELOPMENT

Report: Regional planning processes in New South Wales

Debate resumed from 21 February 2017.

The Hon. GREG PEARCE (15:46): The work being done by the Standing Committee on State Development is truly commendable. It is great to be speaking in debate on the committee's second significant report. The inquiry was established to investigate how regional planning processes could be improved to stimulate regional development and improve the lives of regional communities. The committee notes that the Department of Planning and Environment has made some progress towards improving planning processes for regional New South Wales. It is clear that there is still much work to be done, particularly in relation to involving the community in consultation and improving the quality of life in regional areas; reducing the complexity of planning processes; recognising regional differences; facilitating growth and infrastructure, taking account of State and regional strategic growth; the preservation and protection of the environment and heritage; and providing

flexibility to respond to changes in technology, population, land use, economic development and agriculture. That is the nub of the issues at which the committee was looking.

The current planning system is too complex in regional areas and it does not provide sufficient flexibility to respond to rapid changes in technology, population, land use, economic development and agriculture—which are so important to regional areas. In order to enhance regional planning processes the committee made a number of recommendations to plan for the future through strategic planning, to simplify or clarify planning processes for the benefit of regional New South Wales and to introduce specific planning instruments. New South Wales is currently in a unique situation with zero debt, which provides our State with an excellent opportunity to plan and invest in our future. The committee is highly supportive of strategic planning as a catalyst for growing and supporting regional communities. All levels of government must work together to effectively plan strategically for the benefit of regional New South Wales to ensure harmonisation of planning documents at local, regional and State levels. In addition we recommend that government agencies commit to long-term funding of strategic planning and that there be a flexible approach to local level planning.

There are also many planning instruments at State and local levels that contribute to the complexity of the planning system. For example, while the committee noted the department's work to reduce the number of State environmental planning policies [SEPPs], there needs to be a greater push to introduce more regional specific measures. For this reason we recommended that the Government consider a regional development SEPP to assist in stimulating regional development; identify SEPPs to include development assessment methodologies that are more appropriate to the objectives of a rural zoning and supporting regional development; prioritise the development and implementation of the inland code for exempt and complying development; and consider the suitability of implementing a coastal code for exempt and complying development for the benefit of non-metropolitan coastal regions.

On local planning instruments the committee heard evidence that the standard instrument template for local environmental plans [LEPs] is not flexible enough for regional areas and called on the Government to review the feasibility of establishing separate templates for regional, coastal and metropolitan areas in New South Wales. The committee also recommended that more open zoning provisions be incorporated in LEPs as closed zoning may unintentionally make it difficult to approve development applications that would otherwise be supported. In order to assist in accelerating the development approval process and encourage potential enterprises to move to regional areas, the committee recommended that the department encourage local councils to consider determining fit for purpose land when developing LEPs and land use strategies. Finally, the committee called on the Government to consider the Dubbo Infrastructure and Services Impact Model as part of its review of voluntary planning agreements as we heard evidence that the model adds accountability and rigour to the process.

The committee consulted widely and conducted hearings in regional areas from Tamworth to Dubbo, Narooma, Armidale, Albury and Ballina. People in regional and urban areas expressed a considerable level of interest in our work. As usual, we had excellent service and assistance from the secretariat. On behalf of committee members the Hon. Mick Veitch, the Hon. Rick Colless, the Hon. John Graham, the excellent the Hon. Paul Green and the Hon. Natasha Maclaren-Jones, I thank everyone who assisted us by making submissions and giving evidence. We are particularly grateful to the hardworking secretariat led by Rebecca Main and Samuel Griffith. I commend the report to the House.

The Hon. PAUL GREEN (15:52): As a member of the Standing Committee on State Development I am pleased to address our report on regional planning processes in New South Wales. First and foremost I extend my gratitude and thanks to the secretariat. These inquiries, hearings and reports would not happen without their knowledge, advice and research. I also extend my thanks to the great Chair, the Hon. Greg Pearce, who did an excellent job. The Deputy Chair, the Hon. Mick Veitch, is an excellent member. I thank the other members of the committee. This inquiry was established to assess how regional planning processes could be improved to stimulate regional development and improve regional communities. The Government stated:

Regional NSW is home to about 40% of the total NSW population, and produces about one third of total NSW gross state product. It is also home to resilient and adaptive communities and places of historical and cultural significance. With high levels of natural beauty and diverse lifestyles, regional locations are attractive places to live and work.

The recent floods up north showed us the incredible resilience of those communities. Because they back each other they have been able to withstand severe weather events that have challenged their communities, businesses and farms. The Government also stated:

The NSW Government recognises the need to be more strategic and better coordinated if it is to make a difference, particularly in addressing some of the serious issues facing regional NSW.

Previous legislation such as the greyhound racing ban would have had an impact on regional jobs. It is important that we were able to speak on behalf of all people whose livelihoods and wellbeing depended on that industry.

That sort of approach to regional jobs is crucial. The committee found improvements were needed in relation to community consultation in all aspects of planning, simplifying the planning processes and recognising the difference between regional and metropolitan areas. That is an important factor. We have been saying for years—and I think we will keep saying—that there is no one-size-fits-all solution. In order to achieve fairness we sometimes have to address regional and metropolitan issues completely differently. The committee also found that improvements were needed in relation to encouraging growth and infrastructure as well as long-term strategic outcomes.

Inquiry stakeholders agreed that the planning system in New South Wales cannot operate under a one-size-fits-all approach. This State is large and there are great differences between metropolitan areas such as Sydney, Newcastle and Wollongong and regional areas. The committee received 51 submissions and two supplementary submissions from a range of stakeholders including Local Government NSW, the Aboriginal Land Council, the NSW Farmers Association, the Nature Conservation Council of NSW, the Planning Institute of Australia and other local and regional councils, organisations and groups. The committee held two public hearings at Parliament and single hearings in Dubbo, Tamworth, Narooma, Albury and Ballina.

I extend my gratitude to those who made submissions and who attended hearings to give evidence. The committee noted a great amount of support from inquiry participants for strong, clear and relevant regional strategic planning at all levels of government. The committee agreed that it is important for regional New South Wales to feature prominently in the Government's priorities for the State. The committee found that the majority of stakeholders were of the view that a standalone regional planning Act was not warranted. That was mainly because it would increase the complexity of the current system without adequately responding to the issue of disparity in planning priorities across the different jurisdictions and it would prevent our ability to drive a strategic and unified planning agenda for the State.

Our neighbouring States of Victoria and Queensland have simpler planning systems and we do not want to be left behind. Inquiry participants agreed that the number of State environmental planning policies [SEPPs] needs to be reduced because the current system is too complex and has many inconsistencies. The committee also noted the views of participants that the exempt and complying development codes in SEPP have not made the process easier in regional New South Wales. The committee acknowledged that many inquiry participants were in favour of the standard local environmental plan [LEP] template but made suggestions that it could be amended to provide more flexibility to regional councils.

Plans should also focus on identifying specific competitive regional advantages and recognising shared strengths as well as beneficial differences among local government areas within regions. The committee was highly supportive of regional strategic planning as a catalyst for growing and supporting regional communities and achieving goals of sustainability, environment and heritage protection, and quality of life. Strategic planning must be evidence based, aspirational and all-encompassing where possible. It must feature a strong consultation process and be well funded by the New South Wales Government.

The committee investigated a number of proposals as to how the planning system can better assist Aboriginal communities in New South Wales to become economically sustainable through improved planning processes. For example, the New South Wales Aboriginal Land Council suggested that all local environmental plans include provisions to facilitate economic self-determination of Aboriginal communities and that local government be required to consult with local Aboriginal land councils and to integrate their strategic priorities when drafting or amending local environmental plans. Evidence given at the inquiry shows that Aboriginal land councils are trying to help their communities through the economic challenges they face as well as educate their children; yet we continue to sterilise their land.

The PRESIDENT: Order! According to sessional order, proceedings are now interrupted for questions.

Questions Without Notice

ELECTRICITY PRICES

The Hon. ADAM SEARLE (16:00): My question without notice is directed to the Leader of the Government, Minister for Resources, and Minister for Energy and Utilities. Given that the Liberal-National State Government's media statement on 8 March 2015 carried the headline, "Guaranteed lower prices for electricity customers", what steps has it taken to protect families and businesses in New South Wales from the expected increases of up to \$400 per year and when will it take responsibility for increasing New South Wales electricity prices?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:00): The New South Wales Government is doing everything that it can to keep downward pressure on prices. Through reform of the network businesses we have placed substantial downward pressure on

network costs, including a price guarantee which makes up around 50 per cent of the cost of an electricity bill. The increases in retail electricity prices on 1 July 2016 were primarily due to increases in wholesale costs. We are in a national market and we are being impacted upon by interstate energy markets. Unfortunately, we anticipate further price rises on 1 July 2017 due to national factors—the closure of old generation interstate, and the tight gas supply. I am disappointed that the good work of New South Wales is being undermined by national factors which are hurting households and businesses. We are continuing to work hard on affordability, part of which is a national market reform. Since retail price regulation was removed two years ago we have seen more retailers entering New South Wales. This increased competition is having a positive effect on the market and is an effective form of protection for New South Wales customers. New South Wales currently has some of the lowest annual electricity bills, on average, in comparison with other jurisdictions.

The PRESIDENT: Order! I remind members that interjections are disorderly at all times. The Leader of the Government has the call.

The Hon. DON HARWIN: In December 2016 the Independent Pricing and Regulatory Tribunal [IPART] noted that on average typical residential customers can save between \$284 and \$445 a year by switching from a retail standing offer to their best market offer, and plenty of residents and businesses in New South Wales are doing that. We are consulting on the biggest energy efficiency plan in Australia and, in addition, the draft plan to save New South Wales energy and money and could save households and businesses an estimated \$17 billion by 2050 by reducing the need for new costly infrastructure and generation.

To help low income households manage the burden of their energy bills, we have boosted assistance to more than \$1 billion over the next four years. Customers facing difficulty paying their energy bills should speak to their retailer about payment plans and assistance with hardship. Customers also can talk to their retailer to find a better deal as there are a variety of different options available to consumers. If the Leader of the Opposition wants to know who is contributing the most to this problem, he should look in the mirror. His party and his interstate colleagues, and their disorderly shutdown of synchronised generation in South Australia and Victoria, are more responsible for the problems we are facing with wholesale prices than any other single factor.

WESTERN SYDNEY MUSEUM

The Hon. SHAYNE MALLARD (16:04): My question is addressed to the Minister for the Arts. Will the Minister provide an update on the new museum in Western Sydney?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:05): I thank the member for his question. I also thank all members participating in the inquiry into museums and galleries in New South Wales and, in particular, I thank the Hon. Shayne Mallard for his strong interest in this issue. Since becoming the Minister for the Arts three months ago I have brought a fresh pair of eyes to this issue.

The PRESIDENT: Order! I call the Hon. Shaoquett Moselmane to order for the first time.

The Hon. DON HARWIN: I have listened to a lot of thoughtful and passionate people who are enthusiastic supporters of what the Government is doing in developing an iconic and world-class museum at Parramatta. I have reviewed the submissions to the inquiry and its transcripts. I have been briefed on some of the constraints faced at Ultimo—a site that is more than 40 years old—in its use as a museum. I have been briefed on relevant material on how best to deliver our vision of a museum at Parramatta in the centre of Sydney. I have visited Ultimo and other state-of-the-art education facilities here in Sydney and elsewhere. I have concluded that the extension of the period and the scope of the final business case has been well and truly justified. We will build a truly world-class museum on the Parramatta riverbank site that is designed to meet community needs. Indeed, it will be a real attraction in Parramatta for all in Sydney, including national and international visitors.

The new museum will represent a significant investment in cultural opportunity, jobs and economic growth for the Western Sydney region. It will be the flagship campus of the Museum of Applied Arts and Sciences, which will operate the facility. The final business case, which will be completed in the second half of this year, will expand on options for the new museum at Parramatta; it will also look at the option of keeping part or all of Ultimo as cultural space. We want to make sure that the new world-class museum at Parramatta is designed with input from the people of Western Sydney.

We also want the new museum to be one that the community can proudly call their own. As part of the extension of the final business case a consultation process is now underway. It will be open to anyone with an interest in helping to develop an exciting twenty-first century facility for the community of Western Sydney and beyond. Anyone with an interest in contributing their ideas can register for the consultation process online. Since our announcement we have seen an incredible response from the public, with more than 150 organisations and

individuals registering to be part of the consultation process. The expanded business case will ensure that Western Sydney is getting the best possible museum.

The PRESIDENT: Order! I call the Hon. Lynda Voltz to order for the first time.

The Hon. DON HARWIN: I am proud to have the privilege of working on this great project, which is going to be a wonderful legacy of our Government. This Government is able to invest in this sort of cultural infrastructure because of our competent and well managed stewardship of this State's finances.

The PRESIDENT: Order! I remind the Hon. Shaoquett Moselmane that if he calls time before it expires I will call him to order for the second time.

ELECTRICITY PRICES

The Hon. WALT SECORD (16:09): My question without notice is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. Given his previous answer and the Government's 2015 promise to families and businesses to have lower prices than "they were in 2014" and "would pass on savings from greater efficiency to consumers", will the Minister now admit that his Government has broken its election promise?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:09): Not at all, as I made quite clear in my previous answer. I am aware of some media reports which suggest that prices will rise from 1 July due to higher costs for buying electricity. The *Daily Telegraph* has speculated that average bills could go up by \$400. These are not government figures. On the average household bill of \$1,317, according to the Australian Energy Market Commission, this would be an increase of around 30 per cent. I reject that figure. As I said in my earlier answer, we are expecting price rises this year, but they will be significantly lower than such an amount. The Government does not set prices; retailers make offers, and we await those offers towards mid-June.

I am concerned about cost-of-living pressure on households and we will be announcing further matters shortly in this space. Our commitment, as part of the lease of the New South Wales poles and wires, was that we would ensure that there were lower prices from network charges. Each new operator has signed a price guarantee to ensure that network charges will be lower in 2019 than they were in 2014. This promise relates to network charges, which make up nearly up 50 per cent of a customer's bill, and the New South Wales networks are meeting this commitment. This is being monitored by Professor Allan Fels, the NSW Electricity Price Commissioner, who oversees the implementation of the price guarantee. In fact, proposals for 2017-18 show that network prices will be lower next year than the current prices.

The next most important part of a customer's bill is, of course, wholesale and retail costs, and they are matters that I addressed at some length in my earlier answer. There is no doubt that we need national reform to address these issues. We are being wedged between the loss of synchronised generation in States like Victoria and South Australia and the deep division in debate on policy at a Federal level, which is preventing us from developing a sensible national plan. The challenge for all State governments and the Federal Government after we see the recommendations of the Finkel report in July is for all of us to come together at the Council of Australian Governments Energy Council meeting of Ministers and come up with a sensible plan because there is far too much politics in this and not enough sensible debate.

The biggest problem that we have is that business does not have the confidence to invest in solutions and business does not have the confidence to make the decisions we need to ensure that we have the power to generate as well as the reliable, affordable and clean supply of power that we need. It will be incumbent upon us to be part of that discussion in the wake of the Finkel review on the national electricity market in the near future.

SCHOOL MAINTENANCE

The Hon. PAUL GREEN (16:13): My question is directed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education, representing the Minister for Education. In 2015 there was a backlog in school maintenance of \$732 million. In the 2015-16 financial year the Government allocated \$342 million to maintenance in schools across New South Wales, of which \$80 million was for planned maintenance that essentially addresses backlog maintenance works. Will the Minister update the House regarding the current backlog of school maintenance and detail what is being done to address this issue?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (16:14): I thank the honourable member for his question and for his very genuine interest in school maintenance and the school maintenance backlog. I am advised that the number of students enrolling in government schools is increasing significantly each year. As a result, this Government has committed more than \$4.9 billion to school infrastructure and maintenance since our election in

2011. The New South Wales Government is committed to continuing to deliver this infrastructure to cater for the needs of our growing State. I am advised that when we came to office in 2011 we inherited a \$1 billion education maintenance backlog. We are still cleaning up some of the mess that was left behind, and we will continue to do that. It is all about getting this great State to the next level—and we have a plan.

It is not only about delivering for today and tomorrow but also for the next generation of young people and ensuring that the outstanding teaching and learning taking place in our government schools is supported in learning environments that are well maintained and fit for purpose. We know what a new classroom means for a community and for a new student. We certainly know the value of our public education system to the future of this State in supporting our young people to become the leaders of tomorrow. In just over five years, 34 new or relocated public schools have been funded, and 67 major upgrades have been announced. This means we have delivered more than 100 new or relocated schools as well as major upgrades since we came to government. The major upgrades will refurbish, upgrade and enhance existing school facilities and, combined with new schools, will provide almost 29,000 additional public school places.

This Government is not only providing for growth; it is committed to ensuring our schools are well maintained and safe. That is why this Government has committed a record funding boost for school maintenance. The Department of Education ensures all statutory and preventive maintenance is completed as the first priority to ensure our schools are safe and compliant. Separate to this, planned, or backlog maintenance, is undertaken in parallel and in consultation with the school principal to target high-priority maintenance items at a school. I am advised that the Department of Education's maintenance backlog as at 30 June 2016 was \$775.1 million.

As part of the 2016-17 budget, this Government allocated \$330 million over the next two years to reduce the maintenance backlog. The Premier and the Minister for Education recently made an announcement of a further \$60 million to boost our record-breaking cash injection to address backlog maintenance over two years. This Government is delivering the highest-ever investment towards addressing school backlog maintenance in our State's history, with a total of \$390 million allocated over two years to go towards maintaining school buildings and playgrounds.

Our maintenance blitz will see schools with the greatest outstanding project lists allocated significant funds to address some of the most expensive and highest priority maintenance tasks, including roof repairs, painting and replacement of carpets. Schools such as the Great Lakes College in Forster will receive funding of almost \$2 million to significantly reduce its outstanding maintenance tasks. The Rutherford Technology High School in the Maitland electorate will also significantly benefit, with an injection of approximately \$1.8 million. Its maintenance list will be slashed by 93 per cent by this maintenance blitz. Many other schools, including the Colo High School, the Melville High School and the Hurstville Public School will also receive a significant funding boost to address their outstanding planned maintenance lists.

As part of this maintenance blitz, a number of schools will have their backlogs virtually wiped out. For instance, The Crescent School in Goulburn will have 99 per cent of its outstanding maintenance work completed. Likewise, the Mulgoa Public School, the Kelso Public School, the St George School, the Kandos Public School and the Plunkett Street Public School, where the announcement was made yesterday, all will have their maintenance backlogs reduced by more than 95 per cent. We are committed to delivering the highest standard of education to the growing number of students enrolling in New South Wales public schools. This includes ensuring that our school buildings and playgrounds are in the best condition possible to match the high standard of teaching and learning taking place across government schools.

COMMERCIAL FISHING INDUSTRY

The Hon. RICK COLLESS (16:18): My question is addressed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Will the Minister update the House on the opening of the share trading market for the State's commercial fishing industry?

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:19): I thank the Parliamentary Secretary for his question, which is most timely. This week has been years in the making for the commercial fishing industry. We are very pleased to have reached another milestone in the commercial fishing reforms with the opening of the subsidised share trading market at 9.00 a.m. on Monday. I am pleased to inform the House that the online trading has been fully functional and available 100 per cent of the time since the market opened. The first bid was placed within 47 seconds of the market opening. Five hundred and five fishers are registered to participate, representing 597 fishing businesses. Collectively, those fishers account for 70 per cent of the fish caught by value in New South Wales. Many others already have the shares they need.

To ensure all fishers can use the system, we have provided training and a preview round of trading. When one is talking about difficult reforms, which have been dumped in the too-hard basket for too long, there will always be critics—and some of them are more vocal than others. There is a particular group which is a self-styled lobbying group established to oppose these reforms. Yesterday, we had this group running around spreading rumours that commercial fishers could not participate in the share trading market unless they had received their signed participation deeds by return mail. That is a bald-faced fabrication. I will cop criticism where it is constructive or well-intentioned but attempts to sabotage the subsidised share trading market are an absolute disgrace. Thankfully, this group is not as representative as it thinks because we have had more than 334 different participants log into the market.

The key activities taking place include 307 fishing businesses having placed at least one bid or offer in the market; 59 package offers have been placed; 376 buy bids have been made; and 214 sell offers have been made in just 1½ days of the market opening. It is important that fishers remember a bid needs to be submitted in this round for each of their businesses in order to be in any subsequent rounds. The first round of the market is open for one week, closing at 5 p.m. next Monday, 8 May. If fishers require accurate information, they can contact the Department of Primary Industries hotline on 1300 726 488. This is one of the most important reforms in the history of our commercial fishing industry as we are changing the way commercial fishing is done in New South Wales.

Labor's only contribution to the conversation so far has been to call for a pause to the reforms, even on the first day of trading. A pause is not a policy; it is a pantomime. We have the facts before us, verified by independent reports and a parliamentary inquiry. We are taking the race to fish out of the equation. Where we are moving to quota, everyone will fish for their allocation of the pie and that is it. From December fishers will be fishing for dollars, not tonnes. Fishers will start to think about the quality of their product over the quantity. We will continue to move ahead with the reforms because we know that the industry desperately needs change. This Government is determined to deliver on the commercial fishing reforms for the benefit of the industry for years to come. This is happening. We have many who are participating in this reform. The fact that someone in the first 47 seconds of the market made a bid to try to take control over their future and invest in their business means that fishers out there want to continue. We will support them. This reform is going ahead.

CHILDCARE CENTRE VACCINATION

Reverend the Hon. FRED NILE (16:23): I ask the Hon. Niall Blair, representing the Minister for Health, a question without notice. Is it a fact that our Legislation Review Committee has been critical of the Hon. Walt Secord's private member's bill, which promotes vaccination for all New South Wales children? In view of the essential health need for all New South Wales children to be vaccinated as northern New South Wales vaccination rates have dropped to 90 per cent, will the Government support the fines for childcare centres which enrol children who have not been vaccinated?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:23): I thank the honourable member for his question, which involves some detail that the Minister may have and sought some comments in relation to a potential position of the Legislation Review Committee. It is probably best for everyone if I take the question on notice. I will refer the question to the Minister's office for a detailed answer and come back to the member.

ELECTRICITY PRICES

The Hon. PENNY SHARPE (16:24): My question without notice is directed to the Minister for Resources, Minister for Energy and Utilities, Minister for the Arts. Given that the Government continues to appeal the Australian Energy Regulator's decision to decrease electricity prices by up to \$313 a year, what does the Minister say to families across New South Wales whose electricity bills are skyrocketing?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:24): This is the third question I have been asked on essentially the same issue. In 2015 the Networks NSW board appealed the Australian Energy Regulator's [AER] determination through the Australian Competition Tribunal. The decision to appeal was at the discretion of the Networks NSW board, not the New South Wales Government. In February 2016 the tribunal made a decision to set aside the AER's determinations and the AER applied to the Federal Court for a judicial review of the tribunal's decision. I wait for the court's judgment, the release of which is at the discretion of the court, before commenting any further.

ABORIGINAL LANGUAGES

The Hon. NATASHA MACLAREN-JONES (16:26): My question is addressed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education. How is the

New South Wales Government supporting the revitalisation of Aboriginal languages in New South Wales, the first of its kind in the nation?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (16:26): I am sure that all members of the House understand that Aboriginal languages are too important to lose. In November last year the former Minister for Aboriginal Affairs announced the drafting of a bill to recognise and protect the Aboriginal languages of New South Wales, the first of its kind in Australia. The draft bill has been developed for consultation with the Aboriginal community and contains three parts—an acknowledgement statement, a five-year strategic plan and the development of a centre for Aboriginal languages in New South Wales.

The acknowledgement statement will recognise language is intrinsic to the culture and identity of Aboriginal people and to the intangible cultural heritage of all people in New South Wales. It will also recognise the rights of Aboriginal people and communities to learn, maintain and develop their language and the role of the State Government in recognising, protecting and supporting the revival of Aboriginal languages. The Government is proud that New South Wales is on track to be the first Australian State to officially recognise the importance of Aboriginal languages and to commit to protecting them for the future. We are committed to working with communities across New South Wales to protect and strengthen Aboriginal languages.

Earlier today in Lightning Ridge the important process of consulting Aboriginal communities across New South Wales commenced. I am advised the first consultation was well attended, with participation from local schools where the children spoke in language and tears were literally shed by their elders. These consultations will be taking place in a total of 14 locations across New South Wales and will bring the community and Government together to discuss how the right laws and policies can support local efforts and provide an enduring basis for the protection and maintenance of Aboriginal language in this State.

Other locations for the workshops will include Broken Hill, Moruya, Dubbo, Wilcannia, Wagga Wagga, Griffith, Tamworth, Coffs Harbour, Dareton, Lismore, Taree, Sydney and Bourke. We understand that the Aboriginal languages legislation is primarily for Aboriginal communities so it is imperative that communities must have a chance to have their say. By listening to the people who hold the knowledge we can learn about what language means to communities and understand their hopes for the future. Our Aboriginal languages are both precious and unique. Language tells us who we are; it gives us pride in our culture and identity and self-respect. It stores our knowledge, our stories and our songs.

The New South Wales Government's role is to support the revival of Aboriginal languages but it is the communities who understand, own and control their language. The proposed Aboriginal languages bill will acknowledge the first languages of New South Wales as vital to the culture and wellbeing of Aboriginal people. Aboriginal communities have led the way in this process and it is important that the hard work of these communities in revitalising the varied languages across our great State is acknowledged.

In Coffs Harbour the community uses language to ensure that Aboriginal youth are strong in their culture and education. In Bourke the language is taught at the local school and students confidently perform a welcome to country in their traditional tongue. In Lightning Ridge, the Aboriginal Language and Culture Nest provides the schools and communities with opportunities to revitalise, reclaim and maintain traditional languages. The nest involves the community, schools, TAFE NSW, universities, and other community language programs and groups. The nest takes in the communities of Lightning Ridge, Walgett, Goodooga and Collarenebri. In Dubbo, TAFE NSW Western Institute is playing a key role in training Aboriginal community members as language tutors and teachers through accredited courses from certificate I to certificate IV in Aboriginal language.

In Batemans Bay, the language is taught to primary school students and delivered to a broad range of stakeholders across communities and organisations. TAFE NSW Illawarra Institute teaches language to Aboriginal inmates in the Nowra Correctional Centre. In Sydney, a local child care centre was awarded an Aboriginal Affairs Our Languages, Our Way grant to deliver a language program. The language also was taught to elders of the La Perouse Aboriginal community, showcasing the importance of language to young and old. I am proud that the New South Wales Government is supporting the many language initiatives in New South Wales and I urge Aboriginal communities to engage with the consultation process, as their input is vital.

FERAL ANIMAL CONTROL

The Hon. MARK PEARSON (16:30): My question without notice is directed to the Hon. Niall Blair, Minister for Primary Industries. During question time on 5 April the Minister stated support for the widespread use of 1080 poison to kill introduced animals such as wild dogs and foxes. Given that the welfare of all animals in New South Wales is his ministerial responsibility, irrespective of the category status imposed by humans, will the Minister advise whether his department has considered humane or non-lethal alternatives to 1080 baiting? If

not, does the Minister accept the scientific evidence that so-called "pest" species are capable of experiencing pain and suffering, and the ingestion of 1080 poison causes immense suffering to baited animals irrespective of which animals they are?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:31): I thank the honourable member for his question—my favourite part-time vegan. I stand by the comments I made in relation to pest animals and 1080 poison. I know my department, along with other agencies, looks at alternatives to poisoning for some pest animals. For example, a good bullet in the head would be appropriate for a wild dog that attacked poor defenceless lambs or left some of the sheep they attacked with their guts hanging out and suffering. As I have said previously, 1080 is licensed for use by the Australian Pesticides and Veterinary Medicines Authority. It is a Federal issue.

The member should not think for one second that he can enter this Chamber and have me start feeling sorry for introduced species that inflict pain and suffering upon livestock and, importantly, to many native animals. Native animals, including birds, suffer attack by feral dogs, foxes and feral cats. I will not change my mind. The member is wasting parliamentary question time. The 1080 poison is registered for use. The producers and agencies must stay within the protocols of that registration. The agencies that make those decisions do not report to me. That is my answer.

It is one thing to say that members should be concerned about animal welfare that is governed by the Prevention of Cruelty to Animals Act 1979; it is another matter to suggest that these introduced pest animals are in the same class. They inflict damage upon the economy and environment of this State. I will not for one second apologise for the fact that our agencies and farmers are using 1080 to eradicate those pests. The damage they do far outweighs any other consideration. My answer stands and I will not apologise for it. As long as those responsible for the control of the pest animals adhere to the requirements and protocols attached to the products I will help producers to gain access to 1080 poison that eliminates feral animals.

I have stood with farmers while Local Land Services handed out chicken heads injected with 1080 for use on their properties to control foxes. I will accept criticism that I am not doing enough in this space and I will go back to the agencies and say, "Let's do more", but I will never say in this Chamber that we should do less. I do not accept the member's hypocritical view. We joke in this place about media reports concerning the member, but he walks in here with leather on his feet, wool in his suit and fish in his belly and attempts to impose his ideology on us. The member has been caught out as a hypocrite. The question is hypocritical. The member should stand up for our native animals. If the member spent more time on that area, I might take the question seriously.

The Hon. MARK PEARSON (16:35): I ask a supplementary question. Will the Minister elucidate upon his answer as to what is the research that the department is doing into humane and non-lethal methods for "pest" control?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:35): As I have previously stated, the department looks at other methods for control of these animals, including a bullet in the head or chest of some of the feral animals.

ELECTRICITY PRICES

The Hon. SHAOQUETT MOSELMANE (16:36): My question without notice is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. Given the Minister's previous answers as to electricity prices, what measures and steps has the Minister taken to honour his public commitment on 27 April to *Channel 7* investigative journalist Mike Duffy that, "It is certainly my job within the New South Wales Government to work on these issues". Will the Minister explain to the House what practical measures he is taking to bring down electricity prices?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:36): I have spoken at some length in my previous answers about the things we are working on.

The Hon. Shayne Mallard: Obviously he was not listening.

The Hon. DON HARWIN: Obviously he was not.

The Hon. Shaoquett Moselmane: This is a question about your promise.

The Hon. DON HARWIN: That is what I am doing. Presently, work and consultation are occurring on the energy efficiency program and a draft plan to save the people of New South Wales energy and money. These are very important steps towards ensuring that this State has a better approach to the use of energy that will inevitably lead to enormous savings for businesses and households. In the wake of the Finkel review into the future national electricity market it is critical for this State to provide sensible leadership and support a sensible

plan through the Council of Australian Governments Energy Council. That will deal with the challenges the nation is facing due to the disruption of traditional power supplies in this country as the energy mix changes. Previously, there has not been a sensible approach to ensuring enough base load power to avoid the problems presently associated with renewable energy, such as intermittency.

We need a sensible plan for the future and a big part of my work at the moment is meeting with a wide range of stakeholders across the various energy sectors to ensure that I am equipped to make sure that New South Wales plays its role on the Council of Australian Governments [COAG] Energy Council of Ministers after the Finkel Review's recommendations are received so that we get a better approach to national energy policy. More than anything else, that is what my job as Minister for Energy and Utilities is about—ensuring that we have a secure, reliable and clean source of power for our residents, for our businesses, for our future.

The Hon. SHAOQUETT MOSELMANE (16:39): I ask a supplementary question. Will the Minister elucidate what are the enormous savings he referred to in his answer?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:40): If I remember correctly, I mentioned the energy efficiency plan and the draft plan to save money, all of which are subject to consultation at the moment and about all of which there will be announcements in the near future. I will be happy to outline all of them when they are released.

SOLAR ENERGY GENERATION

The Hon. BEN FRANKLIN (16:40): My question is addressed to the Minister for Energy and Utilities. What is the Government doing to ensure residential solar customers receive a fair price for the energy they feed into the grid?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:41): The New South Wales Government supports residential solar customers by establishing a fair and reasonable price for solar generation fed into the grid. This helps customers get a fair deal for solar. This benchmark range is the recommended payment for all small-scale solar generation. The range helps customers to compare and negotiate energy deals with retailers. The current benchmark feed-in tariff for the financial year 2016-17 is between 5.5 and 7.2 cents per kilowatt hour. A fair go for solar customers has been the topic that has been raised with my office more than any other, particularly by members of the other place on behalf of their constituents.

I requested the Independent Pricing and Regulatory Tribunal [IPART] to determine a benchmark feed-in tariff for the financial year 2017-18. According to IPART's draft determination this will more than double to between 11.6 and 14.6 cents per kilowatt hour. This is higher than the financial year 2016-17 figure, due to the higher expected wholesale electricity prices in 2017-18 driven by national market factors. It means that solar power is worth more to the grid as a whole. Unlike the debacle of Labor's Solar Bonus Scheme, which stung customers, including those who could not afford solar, this feed-in tariff is not subsidised by the broader New South Wales community. The tariff excludes the significant distribution costs of delivering a reliable and secure electricity supply, the retail costs of administering household accounts and the other matters that all contribute to the retail price of electricity. It is not mandatory for retailers to offer a feed-in tariff. However, the benchmark range means that most retailers do, and there is now a variety of offers in the market.

This stops retailers pocketing the benefit from excess solar. Approximately 350,000 customers in New South Wales have installed small-scale solar systems. This includes approximately 146,000 former Solar Bonus Scheme customers. An average home with an average solar system, whose residents work away from home, could save \$250. The main financial benefit to customers from solar is avoiding the cost of grid electricity by using solar energy. The tariff helps retailers offer a fair market rate for the rest. The figures show that towns such as Dubbo and Lismore, and suburbs such as Liverpool are leading the way. As batteries become cheaper we expect our solar homes and businesses to become a critical part of the grid. According to Energy Networks Australia and the Commonwealth Scientific and Industrial Research Organisation [CSIRO] there is a possibility they could account for 35 per cent of our generation by 2050. The New South Wales Government appreciates our solar households and I have acted to ensure they receive a fair price for their power.

INDIGENOUS INCARCERATION RATES

Mr DAVID SHOEBRIDGE (16:44): My question is directed to the Minister for Aboriginal Affairs. What is the Government doing to address the distressing fact that was highlighted in yesterday's Bureau of Crime Statistics and Research [BOCSAR] data that shows the number of Aboriginal adults in New South Wales jails jumped by almost 5 per cent between October 2016 and March 2016, from just more than 3,000 inmates to more than 3,150 in just that five-month period?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (16:45): I thank Mr David Shoebridge for his question. I know it is an issue that he is very interested in because he has asked me about it in the House previously. I welcome that because I am sure we are all concerned about the high rates, particularly me as Minister for Aboriginal Affairs. As I have said to him before, the Government is concerned with the high rates of Aboriginal incarceration and particularly its impact on Aboriginal young people. There are a number of programs in place to address these issues and they fall under the portfolios of the Minister for Justice, and the Attorney General, as I am sure Mr Shoebridge would be aware. Questions relating to how the Government is responding to this issue should be addressed to those Ministers, and no doubt they will be.

The figures that were released this week show a 13 per cent increase in New South Wales jails over the past two years, and in particular the imprisonment rate for Aboriginal people was almost 2,000 prisoners per 100,000 population, compared to just 180 per 100,000 for the non-Aboriginal population. The national indigenous imprisonment rate was 2,300 prisoners per 100,000 population. Ninety-five per cent of sentences served by Aboriginal people are for less than two years. However, the reimprisonment rate for Aboriginal prisoners is 73 per cent compared to 52 per cent for non-Aboriginal prisoners. Those statistics and figures are concerning.

The Government has committed \$237 million to reduce reoffending, including among Aboriginal prisoners, through diversion and rehabilitation programs. I know that many Aboriginal leaders, legal and social justice organisations have been calling for new approaches to criminal justice. One example is Justice Reinvestment—which we have spoken about in this House—that redirects funding that would otherwise be spent on incarceration towards programs to divert Aboriginal people away from the criminal justice system. It may interest the member to know I met recently with the Chair of New South Wales Justice Reinvestment and had a very good, honest and frank discussion about its work and its strategies. I am travelling to Bourke in the coming month to visit the service to see firsthand the work it is doing. As the Minister for Aboriginal Affairs I take this very seriously. As the member knows, it is not something that I have control over and there are roles for the Ministers I mentioned earlier. I thank him for his question and for continuing to raise this issue.

Mr DAVID SHOEBRIDGE (16:47): I ask a supplementary question. I thank the Minister for her answer, particularly the details about her visits to Bourke, which I hope the House will hear about. Regarding what we all agree and the Minister indicated are the distressing rates of Aboriginal imprisonment, is there a target or a proportion or figure that the Government is aiming for in terms of a reduction of Aboriginal imprisonment?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (16:48): I thank Mr David Shoebridge for his question. Because these are the responsibilities of other Ministers I will take the question on notice and come back to him with an answer.

GOVERNMENT FLEET ELECTRIC VEHICLES

The Hon. PETER PRIMROSE (16:48): My question is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. How much did it cost the taxpayer for him, staff and the Hon. Rick Colless to travel to the Central West on 27 April to announce that six new plug-in electric hybrids would be added to the New South Wales Government fleet, which have a maximum electric range of 52 kilometres and will not be able to transport staff from Orange to Wellington, Dubbo or Dunedoo without resorting to traditional fossil fuels?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (16:49): I will be very happy to get back to the member on costs, but to dismiss the announcement of the decision by the Department of Industries [DPI] to take the world's first SUVs into its fleet in the sorts of terms the member used is a great disappointment. First, my visit to Orange encompassed far more than just that announcement, but I will keep that for another time. Let us take this opportunity to congratulate DPI on doing the right thing in undertaking a three-year trial to assess how well the world's first electric SUVs—

The PRESIDENT: Order! I call the Hon. Rick Colless to order for the first time. I call the Hon. Shaoquett Moselmane to order for the second time. I call the Hon. Lynda Voltz to order for the second time. The Minister has the call.

The Hon. DON HARWIN: As I had begun to say, DPI should be congratulated on this initiative to include in the State fleet three of the world's first electric-powered SUVs, which are manufactured by Mitsubishi. It is not correct to categorise the capability of the vehicles in the terms the member used. If the car ran purely on an electric charge it could only travel 52 kilometres, but when it brakes or stops it automatically regenerates its electric charge. The vehicle is enormously capable. DPI is doing something worthwhile by looking at the capacity

for these off-road vehicles to be part of the State fleet in a regional location. As the Minister for Energy I was pleased to highlight what DPI is doing as part of my visit that also included—

The Hon. Niall Blair: Don't give it away. Keep them in suspense.

The Hon. DON HARWIN: I am sure they watched the Prime News clip. They would be aware that as part of that trip I also visited the Orange library, museum and art gallery. They are incredible facilities. [*Time expired.*]

The Hon. PETER PRIMROSE (16:53): I ask a supplementary question. Will the Minister elucidate his answer?

The PRESIDENT: Order! The supplementary question is out of order.

HEMP FOOD PRODUCTS

The Hon. CATHERINE CUSACK (16:53): My question is addressed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Will the Minister update the House on the recent decision by the Australia New Zealand Ministerial Forum on Food Regulation to approve low-THC hemp for sale as food?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:54): I thank the member for her important question about moving towards a growing, thriving and productive low-tetrahydrocannabinol or THC hemp industry in New South Wales. I strongly welcome the decision by the Australia New Zealand Ministerial Forum on Food Regulation to approve low-THC hemp for sale as food. Forum members acknowledged in Adelaide last week that Food Standards Australia New Zealand had not identified any food safety or public health risks associated with low-THC hemp food products. This is good news for the State's existing hemp industry and for consumers, who can now enjoy a new, healthy and sustainable product. Most importantly it is good news for New South Wales and is set to provide a major economic boost, particularly in our regional areas.

A 2012 report prepared by the Bureau of Agricultural and Resource Economics and Sciences estimated that approval of low-THC hemp as a food could increase the total Australian hemp seed yield from 93 tonnes in 2011, most of which was grown in New South Wales, to between 250 and 380 tonnes per annum. Low-THC hemp is grown legally in New South Wales under strict licensing conditions. It is a hardy and sustainable crop that has enormous potential both for domestic and export markets. Low-THC hemp foods are sold legally in more than 21 developed countries including the United States of America, Canada and the United Kingdom. It is now time for Australians to enjoy the benefits.

The health benefits are clear: hemp seeds contain a near perfect ratio of omega 3 and omega 6m and high levels of protein. To put some perspective around the potential market value, in the United States the Hemp Industries Association estimates the value of hemp-based foods, supplements and body care sales to be between US\$150 million to US\$170 million per annum. Australian hemp growers are developing drought-resistant varieties for the domestic and international markets to further improve its viability as a crop. I note in making its decision to approve low-THC hemp for sale as food the forum members acknowledged the considerable work undertaken to address earlier concerns, including that it may affect roadside drug testing. Consumption trials undertaken as part of the approval process have overcome those concerns, finding it would be highly unlikely that the consumption of low-THC hemp would result in positive roadside readings.

The changes to the standard will include a strict limit on the level of THC and cannabidiol [CBD] in hemp foods. To clarify, THC is the psychoactive substance in illicit cannabis and CBD is a substance of emerging interest for its therapeutic effects. Low-THC hemp foods do not contain these traits and subsequently will not be allowed to suggest that on labelling and/or marketing material. This is an exciting time for food producers and the industry at large. The New South Wales Government supports innovation and I cannot wait to see low-THC hemp seed on our menus mixed in with our salads, pastas and cereals. Many people have grown accustomed to quinoa and kale. Now let us embrace this new superfood. I acknowledge the great work of the NSW Food Authority in cooperating with agencies that had some concerns, including the NSW Police Force, to make sure that we did this correctly and that it would not cause issues with roadside drug testing. I thank the Food Authority and the Department of Primary Industries for their work.

KOALA HABITAT PROTECTION

Ms DAWN WALKER (16:58): My question is directed to the Minister for Primary Industries, representing the Minister for Lands and Forestry. Will the Government guarantee that any new native forest wood supply agreements will not impact on koala populations in our State forests?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (16:58): I thank the member for her question. It is a shame she was not here when I was the Minister responsible for forestry because undoubtedly we would have had many discussions about this. But the Minister for Lands and Forestry has provided me with some information, which I am happy to give to the member. The New South Wales Government is committed to a sustainable forestry industry, as outlined in the New South Wales Forestry Industry Roadmap released in 2016. That is a very important sentence because this Government is committed to the forestry industry in this State. Our wood product industry is valued at around \$42.4 billion and supports thousands of jobs across New South Wales. Indeed, it is critical for the construction of new homes and is a major economic driver for regional communities.

The forestry industry has sensible, long-term land management practices to ensure that we produce a sustainable supply of timber to build the homes of tomorrow while also supporting thriving populations of native species, including koalas. The areas of State forest available for harvesting make up just 4 per cent of the 23 million hectares of forested land in New South Wales. These forests are critical for providing renewable regrowth timber for our local industry while also continuing to support significant koala populations. I have a lot more information that I could give to the House but I am mindful of the time. We might return to this issue at another time.

The Hon. DON HARWIN: If any other members have questions, I suggest they put them on notice.

Deferred Answers

LAND CONTAMINATION

In reply to **Dr MEHREEN FARUQI** (7 March 2017).

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts)—The Minister provided the following response:

I am advised a more detailed review of the EPA's implementation of the Auditor-General's recommendations has been undertaken by Professor Mark Taylor of Macquarie University. Professor Taylor's report is under consideration.

DOMESTIC VIOLENCE

In reply to **the Hon. PAUL GREEN** (7 March 2017).

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education)—The Minister provided the following response:

In-camera evidence provided in court falls within the portfolio responsibilities of the Attorney General, the Hon. Mark Speakman, SC, MP, and should be referred accordingly.

GORDON WOOD DEFENCE

In reply to **Reverend the Hon. FRED NILE** (7 March 2017).

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts)—The Minister provided the following response:

I am advised:

Section 26 of the Legal Aid Commission Act 1979 prohibits the disclosure of information about an application for legal aid. I am unable to comment on any case currently before the courts.

Section 12 of the Legal Aid Commission Act 1979 requires Legal Aid NSW to ensure that legal aid is provided in the most effective, efficient and economical manner. Legal Aid NSW has policies and guidelines in place to assess who is eligible to receive assistance. Legal Aid NSW also has a policy in place under which clients are asked to pay a contribution towards the cost of running their case and it can hold clients and former clients liable to pay the cost and expenses of their case. A review of the Legal Aid NSW policy on granting legal aid for appeals to the Court of Criminal Appeal and to the High Court of Australia is currently being undertaken.

NATIONAL FIREARMS AGREEMENT

In reply to **the Hon. ROBERT BROWN** (8 March 2017).

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry)—The Minister provided the following response:

I am advised:

The New South Wales Government consulted with stakeholders from sports shooting and pistol associations, hunting groups, NSW Farmers, firearm training organisations, key firearms dealers, and the firearm control lobby. This consultation has helped to inform the Government's position.

This Government will continue to ensure that New South Wales has the most appropriate firearms regime possible; one that is nationally consistent and targets the illegal firearms market, not legitimate firearms owners.

COAL SEAM GAS EXTRACTION

In reply to **the Hon. ADAM SEARLE** (9 March 2017).

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts)—The Minister provided the following response:

I am advised:

The New South Wales Government is addressing Recommendation 9. The recommendation relates to government consideration of a robust and comprehensive policy of appropriate insurance and environmental risk coverage of the coal seam gas [CSG] industry. Private sector insurance for farmers and other landowners is not within the scope of the recommendation.

The EPA has conducted extensive consultation and interjurisdictional analysis on financial assurances and insurance mechanisms in use for the gas sector worldwide.

The Government is continuing to work on policies to address environmental risk and responsibility for the CSG industry and deliver against Recommendation 9.

NATIONAL FIREARMS AGREEMENT

In reply to **the Hon. ROBERT BORSACK** (9 March 2017).

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry)—The Minister provided the following response:

I am advised:

The National Firearms Agreement 2017 has the approval of all jurisdictions and makes it significantly easier to understand the principles behind the regulation of firearms in Australia. It incorporates the 2002 National Handgun Agreement.

There is no policy change in relation to genuine reasons that must be met to acquire a firearm. Only a tiny minority of current firearms licence holders are directly affected by the changes in the 2017 NFA and the Government is ensuring those few will experience as little impact as possible.

For example, the Government is introducing "grandfathering" provisions to ensure that current licence holders who have been responsible in the possession, use and storage of lever action shotguns will not be penalised for the change in the categorisation of these firearms. The objective is to minimise the impact on legitimate licence holders of these reforms and any other amendments to improve the firearms regime, without reducing public safety.

This Government will continue to ensure that New South Wales has the most appropriate firearms regime possible; one that is nationally consistent and targets the illegal firearms market, not legitimate firearms owners.

LAND TAX AND SELF-FUNDED RETIREES

In reply to **the Hon. PAUL GREEN** (9 March 2017).

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts)—The Minister provided the following response:

For 2007 and subsequent tax years, the value used to determine land tax liabilities is generally the average of the land value for the current tax year and the land values for the previous two years. Where a parcel of land was only recently created (e.g. by subdivision or amalgamation) the average value will be based only on the land values for those taxing dates, when the newly created land item existed.

Complying superannuation funds are entitled to receive the benefit of the land tax threshold up to \$549,000 for 2017. These trusts are also assessed separately and are not aggregated with any other land owned by the individual members of the fund. Consequently, they do not pay land tax on the first \$549,000 of their total taxable value.

Any of the individual fund members, who own land in their individual capacity, may also receive the benefit of the threshold on their other properties.

The Office of State Revenue [OSR] also offers a number of additional services to land tax customers, to support them with meeting their obligations. These include:

- an option to receive an early payment discount or an instalment arrangement of three equal payments
- extensions of time to pay if customers are facing financial difficulties and are unable to meet the instalment arrangement conditions

In addition, landowners who disagree with their land valuations are entitled to submit an objection with the Valuer General within 60 days from the date of issue of a land tax assessment.

Alternatively, if they believe the details on the land tax assessment are incorrect (e.g. the incorrect landowner or land is listed or they believe an exemption should apply), they can lodge an objection with the Office of State Revenue.

MURWILLUMBAH TAFE

In reply to **Ms DAWN WALKER** (30 March 2017).

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry)—The Minister provided the following response:

This question should be directed to the Assistant Minister for Skills, as the Minister with the responsibility for TAFE.

DEFENCE INDUSTRIES

In reply to **the Hon. LYNDIA VOLTZ** (28 March).

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry)—The Minister provided the following response:

The Commonwealth Government, through its Defence Export Controls [DEC] unit regulates the export of defence and strategic goods and technologies.

These goods and technologies include:

- military items designed or adapted for military purposes or those that are inherently lethal, incapacitating or destructive; and
- commercial items and technologies that may be used or adapted for use in military programs or contribute to the development and production of chemical, biological or nuclear weapons systems.

The export of controlled goods and technologies is subject to Australian export control provisions.

These provisions, which apply to exports by government or the private sector, reflect Australia's international obligations as a member of Arms Control regimes and a signatory to the Arms Trade Treaty.

Consideration of export applications includes an assessment against the following five criteria:

1. International obligations
2. National security
3. Human rights
4. Regional security
5. Foreign policy

These considerations inform decisions about applications to export controlled goods and technology. Assessment is undertaken on a case-by-case basis.

Australia's export control policies are in place to enable the export of defence and strategic goods where it is consistent with Australia's national interests and international obligations.

Within these parameters, the New South Wales Government supports the Commonwealth's commitment to expanding Australian defence industry exports internationally.

This will create more jobs in the defence industry and enhance export opportunities for Australian and ultimately, New South Wales businesses.

Exports to Saudi Arabia

The Department of Defence has advised that in the past year, it has approved a total of four military exports to Saudi Arabia from Australia. These exports have all been considered against the export control provisions and none of these exports were for munitions.

The names of the Australian firms that were involved in these export transactions are commercial in confidence.

Thales—Mulwala

The Mulwala facility is a Commonwealth owned, Thales operated facility, primarily manufacturing propellants and explosives for the Australian Defence Force.

Information about the company is on the Department's Defence Supplier Directory.

New South Wales Government is not privy to commercial in confidence arrangements of Thales or other individual companies.

All Australian exporters must abide by Federal export regulations.

NATIONAL FIREARMS AGREEMENT

In reply to **the Hon. ROBERT BROWN** (29 March 2017).

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry)—The Minister provided the following response:

This question was answered in Parliament.

*Committees***STANDING COMMITTEE ON STATE DEVELOPMENT****Report: Regional planning processes in New South Wales****Debate resumed from an earlier hour.**

The Hon. PAUL GREEN (17:03): Before question time I was talking about improved planning processes for Aboriginal land councils. It was suggested that all local environmental plans include provisions to facilitate economic self-determination of Aboriginal communities and that local governments be required to consult with local Aboriginal land councils and to integrate their strategic priorities when drafting and amending local environmental plans. Traditionally Aboriginal communities are not well versed in zoning laws and sometimes the land given back to them through land rights has so many hindrances that it is uneconomic for them. One of the elders who gave evidence at the inquiry said, "They give us billygoat land back." That is, land that cannot be used to foster economic growth for Aboriginal people and that continues to compromise the ability to educate their children and prepare them for successful workforce participation.

The DEPUTY PRESIDENT (The Hon. Ernest Wong): Order! There is too much audible conversation in the Chamber.

The Hon. PAUL GREEN: It was very important for the committee to travel through New South Wales as we conducted this inquiry. Perhaps local environmental planning policies need to be tempered with a critical pathway for local Aboriginal communities to find a way forward and thus allow them to be more self-determining in planning issues throughout this State. I commend the report to the House.

The Hon. RICK COLLESS (17:05): I speak in support of the Standing Committee on State Development report entitled "Regional planning processes in New South Wales". The genesis of the inquiry goes back some years to the completion of the biodiversity legislation review. It was recommended that the Government should commence a program of mapping areas of high biodiversity conservation value across the State as proposed in the biodiversity bill, as it was then, and now the Act. If we were going to map areas of high biodiversity conservation value across the State, that raised a question about other land uses with high value requirements and where they should be put—urban areas, industrial, intensive agriculture, forestry, small farm development, rural residential, et cetera.

When this inquiry was recommended it was thought that there should be a more defined process for assisting regional planning processes to proceed. One of the things that we looked at—the Chair and the Hon. Paul Green also referred to this—was whether we should have a separate regional planning Act. It was pretty much unanimous among all the people we spoke to that this would introduce another layer of complexity into the planning system when we are trying to reduce the complexity of the planning system and make it easier to get things approved. I thought if we could identify areas of land of high value for industrial development, for example, it would allow an easier approval path for developers. We heard in evidence that it was taking three to four years for some developments to be approved, particularly some poultry developments. That, of course, was unacceptable to the developers. They were held up sometimes for many years trying to get approvals through. If we were able to say to developers that if they went into a particular zone of land they would get an approval within 12 months or thereabouts, that would encourage that development to occur within those regions.

The report made a total of 23 recommendations. I will mention a few of the recommendations that I consider to be very important. Recommendation 10 spoke about a one-stop shop or a go-to person who could coordinate all the agency assessments when development proposals are put forward. That process existed some years ago. Following a proposal for an environmental impact statement a person would coordinate the responses from all the agencies involved; it was called a focus group planning meeting. For some reason, that process dropped off in later years and it was left up to the individual agencies themselves to put in their comments in regard to environmental impact statements and things like that, and that is when the process started to take a long time. So recommendation 10 is important.

Another recommendation I consider to be very important is that the Minister for Planning review the feasibility of establishing separate standard instrument local environmental plans for regional, coastal and metropolitan areas in New South Wales. We heard a lot of evidence that suggested that the standard instrument local environmental plan that was principally developed for urban areas did not apply to areas outside the urbanised parts of New South Wales. Also important is the recommendation that the Department of Planning and Environment issue an instruction on the gazettal of the native vegetation regulatory maps under part 5A of the Local Land Services Act that E zones cannot be applied on land mapped as category 1 exempt land under that part, and on approval of works on category 2 regulated land any E zone applied over that land is extinguished. That means that for those areas that were mapped as category 2 regulated land and had an approval applied to

them, the local council could not then apply an E zone over that same area of land. It is about duplicating the approval process. Once it is approved under one section it should be deemed to be approved under all of the State Government legislation.

I spoke briefly about recommendation 20, which was that the Department of Planning and Environment encourage local councils to consider determining fit-for-purpose land. The idea is that if a developer wants a development to occur the developer could say to the local council, "I want to do this type of development. Where do you suggest I do it?" and the developer could go to an appropriately zoned area where they could get an accelerated approval process.

The Hon. Greg Pearce spoke about recommendation 23. The Dubbo Infrastructure and Services Impact Model, as part of a voluntary planning agreement, showed a much better way to levy contribution models, particularly on big developments. Rather than just applying a standard section 94 contribution the process would determine the cost to the local council of introducing that development and that would then be applied to that development. We heard evidence that in many cases that would provide a much more financially viable way of making contributions than applying section 94. I commend the report to the House. I know that Rebecca has been thanked very much but I note that she is at the table and I thank her for all the terrific work she has done in this committee—it is very much appreciated. I ask Rebecca to pass on our thanks to all her staff as well. I commend the report to the House.

Mr SCOT MacDONALD (17:13): I was not a member of the committee but I would like to make some points because I believe it was a very important inquiry chaired by the Hon. Greg Pearce. The point I want to reinforce is around recommendation 10 that the Hon. Rick Colless mentioned. The Costa Group made a submission to the inquiry. The Costa Group is responsible for 31 hectares, or nearly 70 acres, of glasshouse production near Guyra, the most recent development being a 10-hectare glasshouse development. Regional planning came to the fore at the time when the last development, the third development, kicked off about three years ago. The Costa Group found our planning system incredibly difficult and complex. The company will acknowledge that it was responsible for some of the delays and faults but, as the Costa Group put in its submission to this inquiry, it feels that our planning system in regional New South Wales could be improved considerably.

The Costa Group raised the experience with what it calls the flying squads in Victoria. I have spoken to the Minister for Planning about this and I hope that the Government will look very hard at recommendation 10, which recommends the implementation of a one-stop shop or a go-to person to coordinate agency assessment responses to development proposals. In the Costa Groups' experience across the country—not just in this State or even in Victoria; it has projects in South Australia and, I think, in Queensland—it sees the good and the bad. It found dealing with multiple agencies very difficult. It found dealing with an under-resourced council—my council, Guyra Shire Council, which rarely gets to do a development of this scale—difficult.

When the Costa Group did the first glasshouses in 2004-05 there was no such thing as a joint regional planning panel [JRPP]. The council did all the work internally and it was relatively straightforward. We now have this process of gateways and JRPPs, which I think at that time the Guyra Shire Council really struggled with. A lot of skills and a lot of expertise are needed to pull this all together and the JRPP process for that Costa Group proposal went back to the JRPP a couple of times due to shortcomings. So there were difficulties at the local government level, difficulties at the JRPP level in understanding the project and the difficulty of dealing with multiple agencies. My colleague Adam Marshall and I found ourselves almost in the role of being a flying squad. Adam helped them considerably with matters such as roads and he worked with the Hon. Duncan Gay to pull that together. I helped them in Treasury matters and with the Jobs Action Plan and various things like that.

I know from talking to the Costa Group a lot at that time and since then—I encouraged the group to put in a submission to this inquiry, and I am very glad it did—that it got to the point almost where it considered not proceeding with that extra 10 hectares, which created 150 jobs. But it came about through the good work of a number of people, including my colleague Adam Marshall who was very forthright in unblocking some of those blockages; the local council doing its best, going backwards and forwards through the JRPP; and the Costa Group getting a better understanding of what was needed by our planning system and the various agencies involved. I believe recommendation 10 is very important. It is extremely important for a place like Guyra to get 150 jobs.

We lost our abattoir in the mid-1990s when 350 jobs were lost. The town went into deep decline. A person could buy a three-bedroom brick veneer house for \$80,000 or \$90,000. The town took some time to recover and get back on its feet. It has done so mainly through new operations of the Costa Group. I have never made any secret of the fact that I am a big fan of the Costa Group, which now has over 500 employees at its complex. I hope that the Government is mindful that in putting together big projects sometimes local communities do not have the necessary resources and do need help, whether or not it is this flying squad model. I do not agree with Mr Whitworth from the Department of Planning and Environment who said that currently the more appropriate

mechanism for considering big development applications is through the joint regional planning panels [JRPP] rather than flying squads.

The point I am trying to make is that Costa ran into difficulties before the JRPP stage so problems can be encountered leading up to JRPP stage. If the background work and necessary agency work are undertaken, the JRPP should be a reasonably straightforward process. However, in the case of Costa, we nearly foundered on the rocks but through the good work of a number of Ministers—I have mentioned one, the local member—we saw our way and got there in the end. However, it took an inordinate amount of time, complexity and extra cost. I would like to see an improved system. I commend the Chair, the Hon. Greg Pearce, committee members and staff, who did a fine job, as always. It is a very important committee and report.

Debate adjourned.

GENERAL PURPOSE STANDING COMMITTEE NO. 2

Report: Budget Estimates 2016-2017

Debate resumed from 21 February 2017.

The Hon. GREG DONNELLY (17:21): I make a contribution in the take-note debate on the budget estimates hearings last year for General Purpose Standing Committee No. 2. I make a preliminary comment about the importance of the budget estimates process in this Parliament. Each year it is an opportunity for the Opposition to scrutinise as much as possible the Government's decisions and specifically the budget for the forthcoming financial year. It also provides an opportunity for members to ask questions of the bureaucrats who accompany Ministers to those hearings. The ability to scrutinise Ministers, the Government and the Executive is very important. I would not be the first person in this House to note that for some portfolio areas the current time frame allocated for questioning Ministers and their respective officers is very slim indeed. The inquiry that examined the committee system made a recommendation that I will refer to because it is apposite to this debate. Recommendation 9 states:

That hearings for the 2017-18 Budget Estimates inquiry be held over two separate weeks, from 9.30 am until 6.30 pm in late August/early September 2017 and February 2018, to trial increasing the duration of Budget Estimates hearings.

I certainly hope that occurs this year to provide opportunities in addition to the allocation of time we have been previously provided to scrutinise the Government and specifically its Ministers and Executive on the budget and related matters. I return to the estimates hearings last year. I recommend the report to members of the House. Page gives an overview of the amounts of time allocated per portfolio area and members can read that for themselves. In the limited time available to me I will refer to particular matters under the various portfolio areas and go through them chronologically.

The first morning of the budget estimates was Monday 29 August 2016 when we had the opportunity to examine the portfolio area of Family and Community Services and Social Housing. Appropriate questioning and scrutiny were undertaken regarding the way in which the Government deals with investigating matters—and in some instances criminal matters—that occur with respect to residents in residential care, specifically with respect to young people. The hearing involved scrutiny of a matter that had received recent publicity in the media in the lead-up to the hearing, that is, the death of a young woman referred to as girl X. I do not need to go into that in detail; members would be familiar with the tragic circumstances surrounding that case. The point of the questioning was that as governments of all persuasions, at both State and Federal level, now involve the private sector in the provision and delivery of services and these are not under the direct control of government but rather are contracted or subcontracted out, it is vitally important to have robust procedures, accountability, scrutiny and audits to ensure that what is being offered as part of the contracts—in this case residential care for young people—is being delivered.

I make the general observation that governments need to continually assess and reassess the robustness of that level of scrutiny, audit and checking with respect to services that are contracted or subcontracted out. Another matter this portfolio area examined relates to caseworker numbers and targets for meeting face-to-face assessments, particularly with respect to young people. Once again we had a relatively limited time to examine this in detail, although a subsequent inquiry of General Purpose Standing Committee No. 2 looked at this in significant detail. It is important to scrutinise representatives from the department because these departments are very large organisations with vertical bureaucratic structures.

We can give the benefit of the doubt to some matters the Minister is trying to implement with particular initiatives, policies, practices and procedures but the question then is: Is that being fully and faithfully implemented as a matter of policy and direction from the Minister inside the respective areas for which he or she has responsibility? The Department of Family and Community Services has many challenging dimensions to it and it is certainly a full brief for any Minister. After hearing the responses of departmental officers and bureaucrats

I cannot help but wonder whether they are all on the same wavelength as the Minister. On the afternoon of 29 August we examined the portfolio areas of Roads, Maritime and Freight and discussed a number of issues.

The Hon. Duncan Gay: But they were good.

The Hon. GREG DONNELLY: Yes. The Minister was forthright and frank with his answers. We appreciate Ministers who respond directly and who do not seek to obfuscate or pass the buck. The Hon. Duncan Gay provided clear answers to the questions we bowled up to him and he took them on notice if he needed additional information, which we appreciated. The Russell review, as it is known, came under some scrutiny with respect to compulsory compensation for lands acquired by the Government. Once again I do not have a lot of time to go into this in detail but suffice it to say that the report has been around for some time. There was a lot of media coverage of individual residential property holders who believed they were not getting a fair deal, or who were disadvantaged in the negotiations that took place with respect to the compulsory acquisition of land for some of the major road projects that were underway, particularly those in the Greater Sydney metropolitan area. We asked questions about that.

Arising from this budget estimates hearing and questions asked in the House there was greater finesse introduced in the way in which the Government dealt with members of the public, in particular, residential homeowners, regarding compulsory acquisition, which was a good thing for those individuals. It was also good for the projects. When people believe they are getting a fair deal with respect to compulsory acquisitions it augurs well for the rest of the project. A number of questions were asked about NorthConnex and WestConnex. The Sydney Motorway Corporation is akin to a black box—we cannot seem to prise it open or even find a seam in order to get a hook in to take off the lid. A number of questions were asked about major projects. For example, the Sydney Motorway Corporation has a major role to play in respect to the significant WestConnex project.

On the morning of Tuesday 30 August we dealt with the portfolio areas of Ageing, Disability Services and Multiculturalism. We also spent a fair bit of time dealing with the issue of elder abuse, which has been the subject of inquiry by this parliamentary committee. We also discussed employment enabling strategies for people with disability. It is important to realise—as most members of this House do—that many people with disability relish the opportunity to be seen and treated as fully functional human beings. They might have some capacity restriction—whether physical or otherwise—but they relish the opportunity to be employed, to enjoy life and to achieve so much through their employment. We need to understand—and I think most people in this House do—that they are no different from us. We discussed government strategies in this area of trying to facilitate employers who sometimes have a narrow perspective about what people with disability are able to do. Employers' attitudes are improving but we need to continue to work at it.

A few weeks later we conducted a supplementary hearing with respect to the rolling out of the National Disability Insurance Scheme [NDIS] and the transfer of ageing, disability and home care services to non-government organisations. Once again, we covered the issue of how the State is able to ensure that these services are properly delivered by and through for-profit organisations, and that all standards that should be met are being met. I acknowledge and thank the departmental officers who gave us a full briefing on the rolling out of the NDIS.

Finally, I will touch on some issues that were covered on the second half of that day within the portfolio areas of Transport and Infrastructure—public transport fares, the Sydney Metro project, CBD Light Rail and the North West Rail Link. It will come as no surprise to anyone that all these issues came under significant questioning by Opposition members and members on the crossbenches. I conclude by thanking fellow committee members, both the permanent members and those who participated on a non-substantive basis but who nonetheless played an important role in the scrutinising of Ministers and their staff. I thank the Ministers, the staff that they brought along, the Hansard staff and the competent budget estimates committee secretariats who are able to move things around like jelly and ensure that everything fits into place nicely so we all look good when sometimes we are wondering what we will be doing in the next five minutes. I look forward to the budget estimates program for 2017-18 and commend the report to the House.

Debate adjourned.

Adjournment Debate

ADJOURNMENT

The Hon. SARAH MITCHELL: I move:

That this House do now adjourn.

TRIBUTE TO THE HON. MICHAEL GALLACHER

The Hon. DUNCAN GAY (17:37): I have been in this place for more than 29 years. For 21 of those 29 years my mate Mike Gallacher has been here with me. Today is my first day in this Parliament without him and frankly I miss him already. I miss his sharp wit, his killer one-liners—many of which I stole—his decency, his loyalty, and the fact that he is totally grounded. When he spoke, it was with an authority that very few others have. During his 21 years Michael Gallacher led the New South Wales Liberals and Nationals in the upper House for a record 15 years as both Leader of Government and Leader of the Opposition. Some forget that he was an exceptional shadow Minister for Industrial Relations, Ports, Transport and Police before he became Minister for Police and Emergency Services.

It was obvious to all who knew Mike that his objective was always to do the best and to make a positive impact on the lives of others. It has been a privilege and an honour to work with him and to see the difference that he has made. To serve our community with the highest distinction and determination no matter how challenging is always the main goal for any politician. Mr Gallacher fulfilled this role as well as the other roles and duties entrusted to him.

As well as his 21 years as a member of Parliament, the Hon. Michael Gallacher served 16 years in the NSW Police Force as an undercover officer targeting corrupt police, an officer in the highway patrol, and a detective investigating serious crime. He has experienced the challenges and the rewards that come from a career in serving others. His public service has been at the highest and gutsiest level. Despite the fact that Mr Gallacher has left public life I am confident that many of the tough decisions made during his time in government will continue to serve this great State and its people in the future.

Mike was a key member of the team which returned the Coalition to power in 2011 and he served as a Minister in the O'Farrell and Baird governments. He should be proud of all that he has achieved. I hope some of the current members and Ministers spare a thought for the long hard slog Mike and others had during the 16 years in opposition that lead to their current positions. I have not dwelt on the last few years when Mike, Judy, Caitlin and Kurt had a tough time. I know that he values the few among his workmates who gave him the support that he, Judy and the family needed in their darkest hours.

Given our sincere friendship, there are few roles that Mike would have regretted not having. Perhaps the only one would have been the Ports portfolio that I received when we came to government. He would have loved it and he would have done a great job. But there is a happy ending. I congratulate Mike and wish him all the best in his new position as chief executive officer of Ports Australia. Mike's longstanding interest and understanding of ports and shipping-related issues, together with his widely acknowledged advocacy and policy development skills, will be instrumental in his success in that role. I recall indicating at a Ports Australia event that he would have been the best ports Minister. He now has a chance to fulfil that role. Mike goes with our well wishes for a well-deserved future. He is a great guy.

ADANI CARMICHAEL COALMINE PROPOSAL IMPACT

The Hon. ADAM SEARLE (17:41): The Adani coal mine proposal in Queensland's Galilee Basin should not proceed. It should not proceed if we support the coal industry in New South Wales and the many jobs and economic support it provides to the regions and the State as a whole. Based on publicly available information, we know that the proposed Adani mine in Queensland does not stack up environmentally or even economically. If it is such a great idea why is it seeking a \$1 billion Federal loan? It is now a matter of record that the big four banks will not fund the Adani mine. This is a pretty clear indication that it is completely bananas economically. Banks are not known to be philanthropic or to have a social conscience, but they do know how to make a buck. If they are not willing to invest in a project it is probably not going to earn a profit.

It is clear that the Adani mine proposal represents a clear and present threat to the New South Wales economy and to the State budget. Increasing the global supply of thermal coal by the 6 per cent represented by Adani will place downward pressure on prices received by New South Wales coal exporters and slash mining royalties paid to the State Government by tens and possibly hundreds of millions per year. That would undermine the integrity of the New South Wales budget and its capacity to deliver basic services. It would put existing mine operations and jobs in New South Wales at risk. That is the evidence given by Adani to the Queensland land court in connection with the mine approvals. It acknowledged that its mine proposal would have a negative impact on mines in Queensland and elsewhere in Australia.

The world thermal coal market is flat and likely to contract. No-one is predicting any real growth. There is a debate among economists about whether the change in demand for thermal coal is cyclical or structural—a significant increase in production of thermal coal will not lead to higher overall sales and prices. In a statement this week Mr Jonathan van Rooyen, general manager—investments for the Port of Newcastle's half-share owner

Gardior, said the Adani mine would unarguably reduce world coal prices and the volume of coal mined in the Hunter. He further stated that the Federal Government would "distort competition and create sovereign risk" by subsidising Adani in a "shrinking world coal market". Further he said:

There is no avoiding the simple mathematics that if Turnbull succeeds in pushing between 25 million and 60 million tonnes of subsidised new coal into a flat world market the volume of coal mined and exported from the Hunter and Illawarra will decline. As will royalties collected by the New South Wales Government and the number of coal jobs in the Hunter and Illawarra.

It echoes comments made in 2015 by senior Glencore coal division executive Peter Freyberg who criticised proposed Federal Government subsidies to Adani. He stated, "Bringing on additional tonnes with the aid of taxpayer money would materially increase the risk to existing coal operations" and would "distort competition and create sovereign risk" by subsidising Adani in a "shrinking world coal market. In a report issued last week by the Australia Institute, titled "Royalty Flush—the risks to NSW coal royalty revenue from Adani subsidy", economist Rod Campbell stated:

The subsidised development of the Adani mine represents a threat not just to Newcastle Port but to all mines in the Hunter. With flat world demand, subsidising a large amount of new supply is economic madness.

To place this in perspective: the Saudis have around 14 per cent of the traded world market in oil. Did they get rich by flooding the market with oil or by carefully rationing the supply to international markets? Australia has around 20 per cent of the traded world market in thermal coal. In contrast to the Saudi approach, it has approved as many mines as companies want to build. In my view, future approval processes need to be mindful not only of the cumulative impact on land and water but also of the level of supply and likely demand and price to be obtained by the resource. After all, the resource—contrary to the views of coalmining companies—does not belong to any mining company but to the wider community and Government has a responsibility to ensure that if the resource is developed or extracted that the best price is obtained.

While the Federal Government is supporting the proposed Adani mine on the basis that all development is good, it has been silent about the cost to other coal producing regions such as those in New South Wales. It is clear that not all of Adani's coal will go to India. In 2015 Adani stated in court that it would export less than half; therefore the remainder will enter this market. What is the New South Wales Government doing to ensure that New South Wales coal is not displaced by the Adani mine if approved? Its "do nothing" approach shows—*[Time expired.]*

ABORTION LAW REFORM

Dr MEHREEN FARUQI (17:46): Next week, this House is expected to vote on a historic and significant reform—the Abortion Law Reform (Miscellaneous Acts Amendment) Bill 2016. This bill seeks to remove the offences of abortion from the Crimes Act, enact safe access zones outside reproductive health clinics and requires doctors to disclose conscientious objection and refer patients on to medical practitioners that do not have such an objection. Doctors, legal experts and the community are behind this reform. Yet the Australian Christian Lobby and the New South Wales Catholic Church have started a scare campaign of misinformation suggesting that women will start having abortions at nine months. The suggestion that women will carry their pregnancies to term and then terminate without strong medical reasons is deeply offensive and implies that women cannot be trusted to make decisions about their own bodies. Nowhere in the world is there any evidence that this ever happens. With modern medical practice and ethics, no medical professional would do it.

The fact that a similar law has been in place in the Australian Capital Territory since 2002 and there is no evidence of any increase in late term abortions shows that we can trust women, doctors and nurses to deal with these sensitive issues. We know for a fact that late term abortions are extremely rare. Only 0.7 per cent of all pregnancy terminations take place after 20 weeks and they almost always relate to severe foetal abnormality or serious danger to the pregnant patient. Nearly 95 per cent of pregnancy terminations in Australia take place before 13 weeks of gestation.

If anything, decriminalising abortion will allow women to access these services earlier. Abortion is a medical procedure and it will continue to be governed by the same rules as other medical procedures. Federal and State laws already exist to stop unqualified people practising as medical practitioners, nurses or pharmacists. This bill does not change that and to suggest otherwise is just a lie. These are misleading "straw man" arguments. The bill does not take away anyone's right to conscientious objection; in fact it makes it clear that doctors have the right to conscientious objection. The bill balances this right with the right of patients to get complete information from their doctor—something we all expect of our healthcare providers—which is why a doctor who objects must refer the patient on to another doctor or a women's health clinic.

As legislators in a secular system of government, my religion—or anyone else's religion for that matter—should not be allowed to deny women their reproductive health rights and choices. The criminality of abortion is a persistent barrier to the availability of this medical procedure, and doctors know this. That is why the medical

community has been behind this reform from day one. Recently more than 300 medical practitioners from across New South Wales signed an open letter to members of Parliament calling for decriminalisation and imploring them to take action now and get rid of this archaic law. Opinion in the legal community is no different. Just after I introduced the bill more than 100 law and criminology academics signed an open letter urging members of Parliament to vote for the bill. The community is overwhelmingly in support of this change, in rural and metropolitan New South Wales and across party lines.

The bill has been endorsed by the Royal Australian and New Zealand College of Obstetricians and Gynaecologists—the body responsible for training and examining obstetricians and gynaecologists in New Zealand and Australia. It has been endorsed by the NSW Council for Civil Liberties, the NSW Teachers Federation, Australian Lawyers for Human Rights, the National Tertiary Education Union, Family Planning NSW, Marie Stopes, and the NSW Nurses and Midwives Association. Doctors see it, lawyers see it and the community sees it. We have a problem that needs to be fixed.

It is time for members of the New South Wales Parliament to fix it. The bill does not force anyone to do anything that they do not want to do and it does not take a position on abortion. However, it does ensure that it is treated as a matter of health and not as a crime. This conversation is not about being progressive or conservative, or anywhere in between for that matter. It is not about on which side of the so-called political divide one sits; it is about providing women and medical practitioners with the same choices that people in many other States have—the choice of making decisions about health and doing so with the full certainty of the law, in safety and medical privacy.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I invite all members of the House to look at the rule on anticipation. If anyone had taken a point of order during Dr Mehreen Faruqi's speech she would have been sat down. I do not mean that as a criticism.

ANZAC COMMEMORATIONS

The Hon. SHAYNE MALLARD (17:52): It was a great honour for me to represent the Premier and the Government of New South Wales on Anzac Day and to deliver the Anzac Day address on the steps of the Anzac Memorial in Hyde Park. I did so in the distinguished presence of the Governor, heads of the Army, Navy and Air Force, religious leaders, RSL leadership, members of the Consular Corps, fellow State and Federal parliamentarians and of course more than 600 veterans and their families fresh from the march down Elizabeth Street. It was a deep honour and one of great personal humility for me to stand on the steps of the State's—if not the nation's—pre-eminent Anzac War Memorial on the 102nd anniversary of the tragic landings on the Gallipoli peninsula.

Each year that passes during this centenary period we acknowledge anniversary milestones from the Great War. This year is the 100th anniversary of the battles of Polygon Wood, Passchendaele and Beersheba. I also took the opportunity to reflect upon my family's sacrifice. I mention that sacrifice as a personal connection to the 60,000 Australians killed in World War I. My great-great-uncle Frank Farrar—the only brother of my great-great-grandfather—enlisted at the tender age of 21 in 1917. He answered the "cooee" call to help his mates. He was a red-haired, freckled farm lad from the sleepy country village of Badgerys Creek—not far from here—and his mates gave him the classic Australian nickname "Bluey". By all accounts "Bluey" was a popular soldier and brave, having been injured earlier on the day of his death venturing forth into the battle to help his mates.

Frank Farrar was killed later that day by shelling at Peronne, France, on the Western Front in September 1918, one year after enlisting at Liverpool and tragically so close to the war's end. Like many families, my family has lived through the generations with an ever present sense of loss and also pride in its service to the country. By paying tribute to "Bluey" or Uncle Frank I am acknowledging all the men and women who made the supreme sacrifice, who served our country and returned, or who equally kept the home fires burning. I am proud of the society that we represent today, a society born of their sacrifice and the century of nation-building in their honour that followed—a community of people who are both diverse and united.

I welcomed the war veterans who honoured our fallen heroes and joined with their mates on this special day of commemoration. I also witnessed the younger generation connecting with these defining moments in our nation's history. I welcomed everyone there in the spirit of unity and respect as we quietly contemplated the great sacrifices that were made for us all. From the thousands who attended the dawn service in the central business district [CBD]—including the Premier and me—and lining Elizabeth Street for the Anzac Day march, to the hundreds of thousands who attended marches and services in local communities around New South Wales, it is evident that the events of 102 years ago have touched us all profoundly. We are all in debt to those who served and we will never forget their sacrifices.

The Anzac legacy we acknowledge came at a devastating cost. Far too many made the ultimate sacrifice. Every community in Australia was touched by the Great War. From a population of fewer than five million in Australia, 416,809 men enlisted, of whom more than 60,000 were killed and 156,000 were wounded or taken prisoner. Around 21,000 of those killed were from New South Wales—a whole generation never to return. We paid our respects to every soldier who fought for our nation. As we remembered those heroes of our nation I was reminded of the words of Bruce Dellit, the architect of the impressive War Memorial in Hyde Park. He urged us to commemorate the fallen in a way that did not glorify war but instead glorified in his words:

...these nobler attributes of human nature which the great tragedy of nations so vividly brought forth—courage, endurance and sacrifice.

Those values are very much the Anzac values. So many of those grieving at home in Australia had no gravesites to visit and no place to go and remember. This overwhelming collective grief found its expression at the Anzac Memorial in Hyde Park and in memorial honour boards, obelisks and statues in every town hall and community around the nation. As soon as the casualty figures from the 1915 Gallipoli campaign became known in Australia the planning for the Anzac Memorial began on this great symbol of our respect and our grief.

We can see today that generations later we are still fulfilling the ongoing vision held for the memorial with the addition of an education interpretive centre and memorial water cascades from the original plans—an everlasting evolving tribute to those who left our shores to serve in all conflicts. In the Centenary of Anzac we as a nation are incredibly proud to honour the memory of all those who served our country. We express our heartfelt gratitude and remember the families who also suffered deeply because of that loss. We honour those service men and women who did not return and those who returned with both physical and psychological wounds. We honour those left behind to pick up the pieces in the aftermath of war—wives, lovers, families, friends and communities. We come together on Anzac Day to remember their sacrifice. Lest we forget.

CITIZENSHIP

The Hon. SHAOQUETT MOSELMANE (17:56): Tonight I refer to the current Federal Government's proposed amendments to Australia's citizenship laws. Before I get into the substance of these changes I note my own close connection to the concept of citizenship. I am an immigrant to this great country—one whose family made a conscious decision to build a life, a family and a future on these shores. Like Premier Berejiklian, English was not my first language and it was certainly not that of my parents. But my immediate and extended family has always cherished the opportunities that Australia provided. We are proud to tell people abroad that we are Australians, that we believe in the land of the fair go and that Australia is the most successful multicultural country in the world.

This measure and others on which our Prime Minister is embarking are a transparent and mostly unnecessary sop to satisfy the more reactionary elements of the Liberal-Nationals Coalition, to say nothing of the crazies in Pauline Hanson's One Nation Party. They are another demonstration of what happens when a leader is beholden to grubby backroom deals, too cowardly to stand up for what is fair and good in our politics, and too weak to provide a real policy direction or address real issues of health, education and the welfare of people. Instead, this policy seeks to divide us further into fields of "us versus them". It pushes diverse communities out into the fringes, fosters a kind of exclusion and demonisation of people and undermines our harmonious society.

Applicants for citizenships will be asked to demonstrate that they have integrated into Australian society and will have to undergo a more stringent English test that will include reading, writing and listening. They will have to show that they are Aussies who have integrated by joining clubs. What clubs? Will the Marconi Club, the Cypriot Club, the Macedonian Soccer Club, the Polish Club, the German Concordia Club or the Japan Club of Sydney fit the bill? What clubs is the Prime Minister talking about? Our Prime Minister says migrants will have to support Australian values. To me, he lacks all sense of values. He is shallow on principles and standards, and a basic code of conduct. Just ask Tony Abbott. Anastacia Palaszczyk recently called him arrogant, disrespectful and a worse Prime Minister than Tony Abbott. He certainly does not fit the bill to talk about values.

How dare he question the values of migrants who worked hard to build this nation? How dare he insult my mum, who, through no fault of her own, can only say a few words of greeting in English because she had to look after a family of 11, or my father, who paid his taxes and laboured all his life to put food on the table? Migrants worked in the factories, cleaned the floors and slaved their lives away for family and country, yet we have a Prime Minister who, for a fistful of votes, is prepared to insult and question their values. I will finish by focusing on the higher threshold English proficiency test the Federal Government is proposing, which is a requirement that the chief executive of the Migration Council Australia, Carla Wilshire, has said is problematic. In particular, we should remember:

Vulnerable sections of the migrant community, particularly for those from a refugee background ... often come after prolonged periods in camps and can be illiterate in their own language, and we are bringing them here for humanitarian reasons.

The tougher integration requirements such as proof of employment, school enrolment and community contribution can be difficult to implement and prove, especially given the limited resources already lacking in localised settlement services. When we keep increasing the requirements for citizenship to this great country I have to wonder would immigrants like my parents and the Premier's parents be able to become citizens in this day and age? We have made great strides towards maintaining our reputation and our achievement of being the most successful multicultural nation on the planet. But if we start riding the wave of xenophobia, intolerance, populism and ethnic nationalism as seen in France, the United Kingdom and Trump's America we will quickly undo the good work of decades and successive generations. We are and must remain better than that.

GLOBAL LEADERSHIP

Mr JUSTIN FIELD (18:01): We have been here before. Seemingly all of a sudden the world's attention is drawn to an imminent danger posed by a despotic leader with the intent of developing and using weapons of mass destruction. Political leaders start the tough talk and don flak jackets, the media directs its intense focus and a stream of so-called experts is rolled out to tell everyone why this threat is real and imminent. The case is made before us all on the nightly news. It is a show trial on an international scale and the case for war is made.

North Korea was one of George W. Bush's Axis of Evil countries. The first, Iraq, was invaded with the assistance of Australia in 2003. While Saddam was removed and ultimately executed, the consequences for Iraq and the region have been the flourishing of Islamic extremism and the rise of ISIS. This is now the justification the United States, Australia and others use for retaining a military force in the region. Who can forget the Iraqi Information Minister at the time of the invasion, with his grandiose propaganda broadcasts extolling Saddam's virtues as a leader and the Iraqi military's might? It continued even as Western military forces entered Baghdad. It was all nonsense and, as it turned out, so were the weapons of mass destruction on which the invasion was based.

Now the North Korean spokespeople are out there talking up their capacity to go to war—even nuclear war—and of their grand leader's resolve. Donald Trump is tweeting. Vice President Mike Pence was in Australia talking up our security alliance and warning North Korea not to goad the new President. Our Prime Minister will symbolically meet with Trump aboard a World War II aircraft carrier while commemorating the Battle of the Coral Sea. The optics are clear before it even happens. At its core our relationship is a military alliance. Labor leader Bill Shorten has backed the United States to deal with the "rogue" state of North Korea. The war rhetoric goes into overdrive.

The public rightly will be sceptical of the grandiose propaganda from all sides. That is particularly worrying when we are reliant on governments to keep us informed on security issues. There is a lack of nuanced political debate, which is made far worse by the fact our Parliament has no say in the deployment of military forces or a declaration of war. The problem this time is that there is no doubting the capacity of North Korea to wreak havoc on the region, particularly on South Korea. But one has to wonder what the end goal is here. With the exception of Greens Senator Scott Ludlam, where are the political leaders in Australia who are talking about how we arrive at a peaceful solution? I am not downplaying the threat; I am asking a genuine question of our political leaders. Do they want to see Australian military forces dragged into conflict in our region? If not, how are their language and actions helping to achieve a peaceful solution?

It is interesting that since Trump's bombing in Syria and Afghanistan and the ramping up of rhetoric around potential conflict with North Korea, the discussion of his failing domestic agenda has gone quiet. Members of the media are focused on tough talk, military action and threats. They see them as signs of leadership. Analysts have suggested that Turnbull's alignment with the Trump message rubs off well on him too. That Australian political leaders have chosen that path should worry us all. In the shadow of Anzac Day and a national remembrance of the sacrifice of our service men and women in conflicts around the world, how do we not have more critical analysis and public debate of Australia's role in building a peaceful world?

People often think it is strange that as a former Army intelligence officer I have become a member of Parliament for The Greens. My response is that anyone who spends their time digesting information, analysing events and thinking about what happens next inevitably recognises we are on the wrong path. I saw a better path in The Greens and a political idea built around peace and non-violence, sustainability, economic justice and grassroots democracy. Conflict must truly be a last resort and its origins must be dealt with at a global level. Access to clean water, food and education, equal rights and opportunity for women, and reducing inequality and taking action on climate change are the key challenges for the international community. Solving them will bring us together. Security threats will overwhelmingly be reduced if we get those things right.

War makes it harder and warmongering or backing warmongers breeds distrust and division at home and in our global community. Cutting foreign aid, demonising refugees and hyping up security threats takes us down the wrong path, yet that is the path the major parties in Australia have taken. The rhetoric from our political leaders

in Australia is dangerous. A United States administration that is prepared to provoke global conflict to make America great again can be no friend of ours.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): I wish the Hon. Duncan Gay, who I note has stepped out of the Chamber, a happy birthday for today. Perhaps we can renew the felicitations tomorrow. The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 18:07 until Wednesday 3 May 2017 at 11:00.